



**SUMMER MEETING 2002
SPRING FOURSOMES 2002
CROCKFORD'S FINAL 2002**

APPEALS

Edited by David Stevenson

ENGLISH BRIDGE UNION

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All the appeals from the EBU Summer Meeting at Brighton, the EBU Spring Foursomes, and the EBU Crockford's Cup Final have been included herein. (Actually, there were none this year from EBU Crockford's Cup Final.) It is hoped that they will provide interest and an insight into the way that people in England are ruling the game.

After the success of the 2000 and 2001 editions it was decided to repeat this publication. This publication has been put on the EBU website in the L&EC section. The feedback from this will be used to decide whether to repeat this in future years. Also consideration will be given as to whether to publish it as a booklet [as is happening in other countries in similar situations]. So, whether you liked this publication or not, if you can see how you would improve it, if you would like to purchase a paper copy, or if you have any other comments, please tell the L&EC Secretary, Nick Doe. If you wish to comment on the actual appeals, the layout, the editing or the Commentary please tell the Editor, David Stevenson. The way to contact the L&EC Secretary or the Editor is detailed on the next page.

Comments have been made on the appeals by an international group of people who have donated their time, for which we thank them. Also further thanks are due to Richard Hills for assisting with proof-reading. Many of the commentators are subscribers to the bridge-laws mailing list, the best international discussion of the Laws of Bridge on the internet: if you are interested in joining (it's free!) the Editor will provide details. The Editor can also provide details of how to subscribe (including how much it costs) to the Australian Director's Bulletin, the foremost magazine for Tournament Directors in the world.

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Commentators

There are comments on each Appeal by various commentators. Their comments here reflect their personal views.

David Stevenson, the editor, is an International Tournament Director from Liverpool, England. He has served as a member of the Tournament Appeals Committee of the World Bridge Federation, and on Appeals Committees in the ACBL and Sweden. He is a member of the Laws & Ethics Committees in England and Wales. He is the Secretary of the European Bridge League Tournament Directors' Committee, a commentator in the ACBL appeals books and a former Chief Tournament Director of the WBU.

Laurie Kelso is one of Australia's top Tournament Directors from Melbourne, Australia. He is the editor of the Australian Director's Bulletin, the foremost magazine for Tournament Directors in the world.

Herman De Wael is an International Tournament Director from Antwerpen, Belgium. He has served as a member of the Tournament Appeals Committee of the World Bridge Federation and is a member of the Appeals Committee of the European Bridge League.

Matthias Berghaus is an EBL Tournament Director from Bochum, Germany. He is a member of the Committee for Rules and Regulations in Germany.

Ron Johnson is a strong club and former tournament player from Ottawa, Canada. He has won the New York regional open pairs. He has always been fascinated by tournament reports and appeals. He also writes fairly extensively on baseball.

Barry Rigal is an expatriate Englander living in New York, USA. During his UK career he won Gold Cup, Tollemache (3 times) and Spring Fours (five times), and represented UK in Camrose 6 times (6-0 record). He is a full-time Bridge player, journalist, commentator, and writer. He has been an Appeals Committee Team Leader at US Nationals for the last 3/4 years.

Eric Landau is an American. He was a successful tournament player in the ACBL and Canada in the 1970s and 1980s, but has been semi-retired from competition since the late 80s and currently plays only once in a while. He is the author of the book "Every Hand An Adventure", and his writings have also appeared in The Bridge World, the Bulletin of the ACBL, and various lesser-known publications. He directs at the club and local levels occasionally, and managed a bridge club for several years.

Richard Hills is a former Secretary of the Australian Bridge Directors Association. His competitive successes include winning five Australian Youth Bridge Championships, being Chess Champion of both Tasmania and Canberra, and winning his school's Spaghetti Eating Championship.

Roger Pewick took an interest in the underlying principles of bridge in 1990 which led to seeking solutions to the problems of players and tournament officials that are presented by the game of bridge. In 1991 he began directing at clubs in Houston, Texas.

Con Holzscherer was a member of the Dutch Appeals Committee (the Dutch National Authority in the sense of Law 93C) for about 15 years. He has extensive experience as a tournament director and as a player in events ranging from local clubs to World Championships. He has extensive experience as a member of tournament appeals committees.

Adam Wildavsky is the proprietor of Tameware LLC, a computer consulting company in New York City specializing in "Extreme Programming". He has been interested in the laws ever since he became the director of the MIT Bridge Club, more than a few years ago. Adam is a member of the ACBL's NABC Appeals Committee, an ACBL casebook commentator and is a regular contributor to the Bridge Laws Mailing List. He is appeals editor for the Greater New York Bridge Association. His recent tournament successes include a win in the 2003 Reisinger Board-a-Match (Point-a-Board?) teams. His study of the laws is informed by his study of Objectivism, the philosophy of Ayn Rand. From 1972-1974 Adam lived on Hall Road in London next door to the future home of the St Johns Wood Bridge Club.

Fearghal O'Boyle is a European Tournament Director from Sligo, Ireland. He is heavily involved in Bridge administration in Ireland and writes a regular 'Rulings' article in the Irish Bridge Journal.

The EBU L&EC does review all EBU Appeals, and where there has been some official comment that is also included under the heading "**EBU Laws & Ethics Committee comments**".

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Abbreviations

There are some abbreviations, and they are listed here:

EBU	English Bridge Union
L&EC	Laws & Ethics Committee
TD	Tournament Director
Director	Tournament Director
AC	Appeals Committee
Committee	Appeals Committee
LA	Logical alternative
AI	Authorised information
MI	Misinformation
UI	Unauthorised information
PP	Procedural penalty [a fine]
N/S	North-South
E/W	East-West
(A)	Alerted
(H)	Hesitation [agreed]
(1), (2) etc	References to notes below
P	Pass
♠♥♦♣	Spades hearts diamonds clubs
Dbl	Double
Redbl	Redouble
NT	No-trumps

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General

From the 1st August 2000 Tournament Directors are permitted to give “weighted” scores when assigning, for example if they adjust a score because of misinformation they might give a score of 50% of 6♠ making, and 50% of 4♠ +2. Previously only Appeals Committees were permitted to do this. The World Bridge Federation hopes that this will reduce the number of Appeals.

The format used to show such results is based on the “Maastricht protocol” whereby higher NS scores are shown first. It helps scorers and TDs if a consistent style is used. Example:

Score assigned for both sides (Law 12C3):

- 10% 6♣ -1 by West, NS +100
- +60% 6♠ doubled -3 by N/S, NS -800
- +30% 6♣ making by West, NS -920

Unlike most other publications of this sort around the world, we have named the Tournament Director in each case. He or she is the man or woman who attended the table, took the evidence, told the players the ruling, and presented the case to the Committee. But the ruling will only be given after he or she has consulted with at least one other Director, and possibly a top player as well. Thus he or she is not solely responsible for the ruling – on rare occasions he or she may not agree with it himself or herself.

Published

April 2003

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APPEAL No 1: Fielding a misbid?

Tournament Director:

Ian Muir

Appeals Committee:

Tim Rees (Chairman) Paul Hackett Malcolm Pryor

Swiss Pairs Board no 13 Dealer North NS vulnerable	♠ Q95 ♥ AK863 ♦ 962 ♣ K5										
♠ K86 ♥ 954 ♦ AK ♣ AQ973	<table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table>		<i>N</i>		<i>W</i>		<i>E</i>		<i>S</i>		♠ AJT2 ♥ Q72 ♦ 73 ♣ J862
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠ 743 ♥ JT ♦ QJT854 ♣ T4										

WEST	NORTH	EAST	SOUTH
	1NT	P	P
Dbl	P	P	2♦(A)(1)
P	2♥	P	3♦
P	P	Dbl(2)	P
P	P		

(1) Transfer: according to convention card:

“Over 1NT dbl, redbl = transfer to clubs, 2♣ = transfer to diamonds, etc”

(2) Director called

Result at table:

3♦ doubled -2 by South, NS-500

Director first called:

At time of second double

Director's statement of facts:

When the TD was called, N/S did not comment. TD explained that it seemed that North had assumed that South had forgotten the system.

North correctly alerted the transfer, but chose to pass 3♦.

Director's ruling:

Table result stands

Details of ruling:

No misinformation. South has unauthorised information (North's alert of 2♦) but has committed no infraction. Nothing to suggest that North has fielded a misbid, no adjustment for lesser offence.

Note by editor:

Similar to psyches, misbids may be classified as Red (which means they have been fielded), Amber (which suggests doubt) and Green (which says that there was no fielding). Fielding is where a pair takes action that seems to allow for the possibility of the misbid based on some hidden understanding.

Appeal lodged by:

East-West

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

Given the auction, with South passing 1NT, then West doubling, it is not possible that South is making a game try. It should be clear to the whole table that South has diamonds only. South has not taken advantage of the alert.

E/W had been told previously that this kind of misbid couldn't be passed. The Committee pointed out that each auction is different.

David Stevens on's comments:

It became obvious to everyone that South just had diamonds, so there was no hidden reason for North to pass 3♦ and thus this misbid is not fielded, ie is classified as Green. South has unauthorised information that tells him 2♥ is not the completion of a transfer, but his 3♦ seems obvious enough.

Laurie Kelso's comments:

There is no evidence that North was in receipt of any unauthorised information. The situation could have been different if South had been an unpassed hand. I do however find North's decision not to super-accept quite interesting. Even if there had been an infraction, there is no damage since 2♥ X is also only -500.

Herman De Wael's comments:

No problems whatsoever with the passing of 3♦, obviously. North has no unauthorized information, and it should be clear to everyone that South has misbid.

I am a bit surprised however about the amount of attention given to South's possible use of unauthorized information of his seeing the alert. While the bid of 3♦, by a passed hand, clearly shows the misbid, the bid of 2♥ by North could be that of someone who has understood 2♦ to be natural but looking for contract improvement.

But I suspect the Director and Appeal Committee were merely answering East-West's clear misunderstanding of the Laws with regards to passing 3♦.

Matthias Berghaus' comments:

No infraction. South has no LA to bidding 3♦, North can't be expected to think that South suddenly found 9+ red cards after passing 1NT. This is not about fielding a misbid, it's about thinking. Even passing 2♦ could not really be seen as fielding after South passed 1NT.

Returning the deposit is right if E/W are inexperienced.

Ron Johnson's comments:

I'm of two minds about this. I have very little doubt that East-West knew what was happening at the table. It certainly feels like they are trying to get a gift from the committee. No AC is likely to be very sympathetic to the East-West argument.

And yet it seems to me that the EBU fielding regs apply to this hand. There's nothing in the authorized information that establishes that the 3♦ call shows a forget. Yes, it's fairly common to have an understanding that the repeat of the transfer suit says, "Oops I forgot we were playing transfers." That's why I don't think East-West were damaged.

I'd really like to have a little extra information about the North/South agreements. Do they require a minimum strength to transfer initially? If so, then what South is showing is a red two-suiter of less than invitational strength (and it's clear that North fielded the mis-bid) Did South have a way to show a weak hand with diamonds at his first turn? (likewise it's clear to rule a field)

Barry Rigal's comments:

The deposit should have been withheld. South knew from North's 2♥ bid that an accident had taken place and from his own hand that 3♦ was going to play better than 2♥. That was both Authorized Information (AI) and obvious. E/W do not have free rein to appeal because they don't like their result.

Richard Hills' comments:

On AI available to South, they have made a drop-dead bid of 2♦, only to see pard choosing to bid a peculiar 2♥. There were two logical explanations for North's 2♥ bid:

1. North thought that 2♦ was a transfer, or
2. North opened 1NT thinking that they held a 3-5-2-3 shape. Subsequent resorting of their cards then revealed to North an actual 3-6-1-3 shape.

Since the UI demonstrably suggests option 1, I would rule that South had to assume option 2, and Pass the Double of 2♥. Under L12C3 I would rule that 2♥x would have been -500 50% of the time, and -800 (club force preventing declarer scoring a diamond trick) the other 50%, for a net score of -650.

Note by editor:

The application of Law 12C3 suggested is not correct: -500 50% and -800 50% does not lead to a net score of -650, but the two scores are matchpointed, and then the weighting is applied.

Roger Pewick's comments:

I concur with the ruling.

- (a) Was the 3♦ call a breach of L16 because of the presence of an alert? In other words, must a player with a hand that is likely to produce tricks only in a diamond contract feel compelled to pass when the opponents have passed 1NX for penalties? No, 3♦ is a call that 70% of players would make.
- (b) Was the pass of 3♦ a breach of the misbid regulation? Consider, was the misbid exposed by the opponents' strong bidding? Yes, sufficiently but not unequivocally so. Green misbid. [Orange Book 6.2.7]

Result stands.

EW have claimed that they were told that a call of 3♦ after such a misbid may not be passed. It would be a service to bridge to ascertain who did that teaching and give him education as appropriate.

Adam Wildavsky's comments:

North had no UI and may do as he pleases.

S had UI, which demonstrably suggested 3♦ over pass, so he may not bid if pass is a logical alternative. The director and committee seem to have assumed that Pass was not a LA. I'll buy that. In fact, it seems clear since opener passed 1NT doubled. Why then was the deposit returned?

Fearghal O'Boyle's comments:

It is 90% obvious that South has forgotten the system. North has enough authorised information from his own hand and the auction to figure this out. So I agree that North has done nothing wrong.

However I am not so convinced that South is innocent. North's alert is UI to South and surely this has woken South up. South might Pass 2♥ without the alert but then E/W would not get +500 so there is no damage.

I think a PP or a warning to South is warranted.

Final summary by editor:

The TD and AC found this one easy. Some of the commentators have doubts, however, more about South's 3♦ than North's pass of it.

APPEAL No 2: Can I afford the ♠ A?

Tournament Director:

John Probst

Appeals Committee:

Tim Rees (Chairman) Peter Gill Phil King

Swiss Pairs	♠ --	
Board no 19	♥ 4	
Dealer South	♦ 2	
EW vulnerable	♣ 7	
♠ --	<i>N</i>	♠ --
♥ --	<i>W</i> <i>E</i>	♥ --
♦ A	<i>S</i>	♦ --
♣ 98		♣ Q32
	♠ --	
	♥ --	
	♦ K	
	♣ AT	

WEST	NORTH	EAST	SOUTH
			1♦
1♠	2♥ (1)	P	3♣
P	3♥	P	4♥
P	P	P	

(1) Forcing

Result at table:

4♥ making by North, NS +420, lead ♠ 5

Director first called:

At end of hand

Director's statement of facts:

The facts were agreed. The lead was North. ♥ 4, ♣ x, ♦ K, slow ♣ 8. Declarer (North) now played for West to have been squeezed. West immediately volunteered on being asked "Why hesitate?" that he had been working out whether he could afford to pitch the ♦ A.

Director's ruling:

Table result stands

Details of ruling:

In view of West's statement the TD deemed Law 73F2 did not apply – he had “a demonstrable bridge reason”. The TD ruled that Law 73D1 applied “at own risk”.

Appeal lodged by:

North-South

Director's comments:

As a matter of common practice TDs rule Law 73F2 does apply if it is a matter simply of choice of cards in a single suit, but here West was considering two different suits.

Appeals Committee decision:

Score assigned for both sides (Law 12C3):

60% of 4♥ +1 by North, NS +450

+ 40% of 4♥ making by North, NS +420

Deposit returned

Appeals Committee's comments:

We feel that West had one card that may be useful (♦A) and two cards that weren't (the clubs), as dummy had two cards higher. Therefore, West may have damaged declarer by hesitating. (Also, the ♦A discard is never right, as declarer has a safe finesse in clubs.) If West had thrown a club in tempo, declarer may have got the ending right. We think the chance is 60%/40%.

David Stevenson's comments:

It is actually quite obvious to West that a club discard is safe since he can see the clubs in dummy. So why was he thinking? Players often get this blind spot in discarding: worrying which suit declarer has without thinking of whether their own cards are useful. However, once he realised this, West has no real decision so his hesitation has misled declarer and the Committee was correct to adjust. In the wording of the Law, West had no “demonstrable bridge reason”.

Note that the Law does not consider intent. This decision does not mean that the Committee believed West deliberately misled declarer. How about the term “at own risk”? No, that applies when the player has a reason for his hesitation but declarer guesses wrong what the reason is.

Note also the use of Law 12C3 since, without the hesitation, declarer may still have gone wrong. The Committee has made an estimate of how often they consider declarer would have got the ending right, probably leaning a little way towards declarer in their weighting since he was the non-offending side.

Laurie Kelso's comments:

Does West have a "demonstrable bridge reason" to consider discarding the ♦A? It would have been useful to know the earlier play - was the location of the ♦2 known to West? The standard of this particular player is also a relevant factor.

Given the limited information available, I'm not convinced that the criteria for a 73F2 adjustment have been fulfilled. I get the feeling that this West player is of only average ability, therefore pitching the ♦A may have been a legitimate consideration for him. Declarer going astray in the endgame is not, by itself, a sufficient reason to adjust.

Herman De Wael's comments:

These cases are always tricky. Who is trying something? Is West trying to fool North, or is North trying to win something in Committee that he did not get at the table? How long did West think? How fast did North play? Isn't it normal to think (a normal short period) about a discard so as not to show that there is no problem?

Probably the Committee felt North was acting genuinely, and so we have to rule on West's hesitation.

Under those conditions the case is clear. West has no demonstrable bridge reason for thinking about pitching the ♦A.

A nice use of Law 12C3 follows.

Matthias Berghaus' comments:

With the South hand in dummy West really has nothing to think about, not even a beginner. Since both clubs will never take a trick "working out whether I can afford to throw ♦A" looks like an effort to show off, which is not a valid bridge reason.

The AC arrived at some percentages, knowing the complete hand and the players, so who am I to argue?

Ron Johnson's comments:

I totally agree with the committee's logic, but it seems to me a tad ungenerous. I know I'd rule 4♥ +1. West's behavior is not something we want to encourage. And yes, I accept that West didn't intend to mislead declarer. He did and there was no bridge reason for the hesitation.

Barry Rigal's comments:

I am surprised at the inferences drawn by the AC, but I am not going to say they were wrong.

Given that the ♣A10 are visible in dummy West should have realized his clubs were not relevant and that a slow club discard might have achieved the result it did.

Eric Landau's comments:

I'd have allowed the table result to stand. Sure, West's hesitation gave South reason to hope that he had pitched down to - /-/A/Q. But did the committee really believe that with no clue from West's tempo South might have risked going down in 4♥ against that holding by leading a club to the 10? That doesn't seem at all likely.

Richard Hills' comments:

I agree with the TD and disagree with the AC. Merely because West's clubs were not winners does **not** necessarily mean that they were worthless, since if it was possible to retain them, declarer may have had increased difficulty in counting out the entire deal. And West's explanation that they were trying to determine whether a low diamond remained concealed in declarer's hand was a demonstrable bridge reason for West's pause.

Roger Pewick's comments:

The AC ruling does not seem right. The stated reason for the pause was deciding if the ♦A might not be useful [as it was an equal to the ♦2; and the location of the ♦2 is important as it appears that the distribution of the club suit might be important to declarer and if a club discard can be avoided then declarer may have less information]. Once it can be ascertained that a valid reason was present, it should not be a matter of what the player should/could have done or should/could have known. Law 73D1; 73F2 does not apply

Con Holzschere's comments:

Without the complete hand, this case can not be judged well. I don't know whether the AC had the complete hand (and the play until trick 10). If they had it, they should have put it on record; if not, they should have asked for it. It is essential in assessing the chances of declarer to read the ending right.

I agree with the finding of the AC that it is never right to throw the ace of diamonds, but depending on the class of player that West is, it might take him/her some time to figure that out. So, knowing the class of West should be an important factor in the decision. Did the AC establish this? If so, why is it not mentioned and if not, why not?

If the AC is convinced that Law 73F2 applies, I see no reason to apply Law 12C3 instead of 12C2.

Adam Wildavsky's comments:

One cannot make a proper ruling here without seeing the entire play record, as we need to consider how likely it was that South would risk his contract for a finesse. Could he have taken the finesse in safety earlier? Did his line suggest that he was playing for a squeeze or that he was reserving his options?

As for West, it seems likely that he thought he had a bridge reason for hesitating, although in fact he had none. I like the committee's approach -- let the cards speak, since we cannot read players' minds.

Kudos to the director for citing the applicable law. Would that it happened more often.

Fearghal O'Boyle's comments:

West's bridge reason for hesitating is good but not good enough. I agree with the AC that West did not have a demonstrable bridge reason for the slow discard.

It is also the prerogative of the AC to use Law 12C3.

EBU Laws & Ethics Committee comments:

It is difficult to review an appeal involving the potential for an opponent being misled by a hesitation in the play, without seeing the full hand and the earlier play (so that it is evident what N and W each knew about the hand when the recorded end position was reached). Tournament Directors are therefore asked to record the full hand on the first page of the form, with the end position and details of the earlier play given in the statement of facts. The L&E notes that software is now available, at least at the major tournaments, to allow the hands to be printed on an appeal form from the duplicate hand records, and recommends that advantage is taken of this facility wherever practicable.

Final summary by editor:

Did all the commentators realise that the ♣AT was in dummy? I am surprised that anyone would find it acceptable to think over whether to discard the ♦A to keep two known losing clubs. This would seem to open the door for players of limited ethics to consider when having no real reason.

APPEAL No 3: Should I protect?

Tournament Director:

Eitan Levy

Appeals Committee:

Jeremy Dhondy (Chairman) Su Burn Steve Ray

Swiss Pairs Board no 4 Dealer West All vulnerable	♠ KJT8 ♥ T54 ♦ KQ5 ♣ 742										
♠ Q5 ♥ KQJ8 ♦ 862 ♣ KQT6	<table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table>		<i>N</i>		<i>W</i>		<i>E</i>		<i>S</i>		♠ 93 ♥ A973 ♦ AT43 ♣ J93
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠ A7642 ♥ 62 ♦ J97 ♣ A85										

Basic systems:

East-West play 5 card majors, better minor

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
1♣	P	1♥	P
2♥	P	P (1)	P

Result at table:

2♥ making by East, NS -110

Director first called:

At end of hand

Director's statement of facts:

East hesitated before passing 2♥ (He considered a bid of perhaps 3♦). South stated he had a marginal balance and passed because of East's hesitation.

Director's ruling:

Table result stands

Details of ruling:

In the TD's judgement, East had a demonstrable reason (for a player of his standard) for considering the auction before passing (Law 73F2). South draws the inference from the hesitation at his own risk (Law 73D1).

Appeal lodged by:

North-South

Appeals Committee decision:

Score assigned for both sides (Law 12C3):

One-third of 3♥ -1 by East, NS +100

+ One-third of 3♠ -1 by South, NS -100

+ One-third of 2♥ making by East, NS -110

Deposit returned

Appeals Committee's comments:

East thought he had a reason, but we did not think it sufficiently good and South was disadvantaged. South would not always protect and we decided to weight the score.

David Stevenson's comments:

Was East's reason for considering a demonstrable bridge reason? I agree with the TD: I think it was. The Committee thought otherwise, but since it was not clear how it would have gone, they weighted the score.

Laurie Kelso's comments:

Maybe the Director should have asked East what alternative action he was contemplating? This is the same issue as in hand 2 - does East have a "demonstrable bridge reason"? Again I believe he does.

At matchpoints N/S were never going to get rich defending 2♥ and South of course now wishes he had bid 2♠! Law 73D1 sums things up well. Given the committee saw things differently, the weightings were still generous for an obviously timid South.

Herman De Wael's comments:

Again, how long was the hesitation? If the Appeal Committee decides it was long enough, then their decision seems sound. West bidding once more?

Matthias Berghaus' comments:

I always thought about retrograde analysis as belonging to chess, but here I found myself trying to determine the level of players involved from the committee's decision.

Let's see. South will balance in two thirds of cases (pretty much for a "marginal" balance), E/W will never let 2♠ play, someone (presumably North) will bid 3♠ in 50% of the relevant cases opposite someone who didn't bid 1♠ in the first round of bidding.

Hmmm. Looks like the director wasn't that far off with his decision. It's all about the level of players (especially East's, of course). I can't tell who was right from here, but I think the AC will be right more often than not.

Ron Johnson's comments:

I'm torn. I totally agree with the committee's summary of the situation, but not with the score awarded. I think they significantly underestimated the probability that South would balance holding spades and with both opponents limited. I'm fairly sure that I would not advocate a weighted score. It looks to me like 3♥ -1 is overwhelmingly likely after a pass in tempo by East.

Barry Rigal's comments:

The TD in possession of the facts made a decision on East's ability level. There seems no reason for the AC to overrule based on their own bridge ability as opposed to East's. South had an automatic reopening and chose not to make it – he deserves no more than the table result whatever you consider appropriate for the 'offenders'.

Eric Landau's comments:

I'd have accepted the director's reasoning and upheld his ruling; I think East's hand justifies thinking about acting over 2♥. But it's close. I don't object to the committee's rejecting the director's reasoning, but I don't understand why they awarded 1/3 of 2♥ = -110. As I understand L12C3, it is meant to be used to assign probabilities to likely results absent the infraction, not to assign probabilities to whether or not there was an infraction. If East's reason for huddling was good enough to satisfy the committee, the table result should have stood. If it wasn't, South should have been "allowed" to balance, and probabilities should have been assigned to what might have transpired subsequently. I'd have no objection had they ruled 50% of 3H-1 +100 + 50% of 3S-1 -100. I do object to the committee's reasoning, which implies that South acted in a manner that was found to be 2/3 of possibly deceptive.

Richard Hills' comments:

My belief is that L73F2 required a binary yes-or-no determination by the AC. Either East had no demonstrable bridge reason to hesitate, or not. Here, the AC seemed to state that East had **partially** demonstrated a bridge reason to hesitate, and that a partial demonstration was not good enough. I would vote that a partial demonstration **is** a demonstration, and therefore uphold the TD's ruling.

Roger Pewick's comments:

The director's ruling was straight to the point.

I can not concur with the judgement of the AC. The east hand has a normal invitation for a five card major system and in my opinion it was, if anything, unusual to not bid on. I do not find the pause to be deceptive. In addition, after having the opportunity to bid at the one level, and later to consider but decline entering the auction at the two level, then once I find out that East's hand was so robust I would feel I had dodged a bullet.

Con Holzschere's comments:

I think the weighing is too friendly for EW. If South balances, North should never bid 3 Spades with his 4333. Also one could take into account the possibility of 2 Spades making for NS.

Adam Wildavsky's comments:

Let's look at Law 73F2:

“if the Director determines that an innocent player has drawn a false inference from a remark, manner, tempo, or the like, of an opponent who has no demonstrable bridge reason for the action, and who could have known, at the time of the action, that the action could work to his benefit, the Director shall award an adjusted score (see Law 12C).”

What was the false inference? South thought East was considering a game try and sure enough he was considering one. As in case 2, the committee ought to let East's cards speak for themselves – here they tell a different story.

The committee judged that the East hand was not worth a game try. I agree. So did East, though it took him a little time to come to that conclusion. There's no infraction in that. The director got this one right.

If you're not yet convinced look at the East hand one more time. Suppose East harbored an intent to deceive, and he wanted to keep South from balancing. Would he choose a hand with only four trump, no singletons, and two Aces?

Fearghal O'Boyle's comments:

Definitely one for an appeals committee to decide. We need to hear from East's peers and South's peers. Does East have a bridge reason for the slow Pass? Is South's decision to bid the hand as he did reasonable?

I think the AC did a good job on this one.

EBU Laws & Ethics Committee comments:

The L&E thought that S had been damaged by his own perceptions of the position. 2♠ appeared to be completely automatic at pairs for good player (which S was), so the hesitation (even if there were no demonstrable bridge reason for it) had not caused the damage. It was perhaps surprising that the Appeals Committee had not so concluded.

Final summary by editor:

The Committee decided that East had no demonstrable bridge reason for his hesitation, but that South would not balance 100% of the time. Two commentators point out correctly that the Committee must decide whether there is a demonstrable bridge reason or not, but the Committee did that.

The actual case is very close, and the commentators' views reflect that in their lack of overall agreement.

APPEAL No 4: Don't fiddle with the weightings!

Tournament Director:

Robin Barker

Appeals Committee:

Tim Rees (Chairman) Alan Kay Hugh McGann

Swiss Pairs Board no 9 Dealer North EW vulnerable	♠ KT986 ♥ KT852 ♦ K3 ♣ 8										
♠ Q ♥ A63 ♦ A6542 ♣ KQT4	<table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td style="text-align: center; background-color: #e0e0e0;"></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table>		<i>N</i>		<i>W</i>		<i>E</i>		<i>S</i>		♠ J42 ♥ 7 ♦ JT97 ♣ AJ532
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	<i>S</i>										
	♠ A753 ♥ QJ94 ♦ Q8 ♣ 976										

Basic systems:

North-South play Benji Acoll, 5 card spades

East-West play Natural, 2/1 GF

WEST	NORTH	EAST	SOUTH
	1♠	P	3♠
P	P	P	

Result at table:

3♠ +1 by North, NS +170, lead ♦J

Director first called:

When dummy was displayed

Director's statement of facts:

There were no alerts and no questions during the auction. When West saw dummy and was told that 3♠ was pre-emptive, he called the TD. He said he might act over 3♠ if it had been alerted as pre-emptive.

Director's ruling:

Score assigned for both sides (Law 12C3):

- 50% of 3♠ +1 by North, NS +170
- + 20% of 4♠ -1 by North, NS -100
- + 20% of 4♣ +1 by East, NS -150
- + 10% of 5♣ making by East, NS -600

Details of ruling:

After consultation the TD decided that it was not clear for West to act over 3♠ with 13 HCP and not four hearts. If West doubles North might bid 4♠ and make only nine tricks on ♥J lead. If West doubles and North passes, East/West will play in 4 minor or 5 minor making 11 tricks (Laws 21B3, 40C). The TD applied probabilities to these various outcomes, according (Law 12C3).

Appeal lodged by:

East-West

Basis of appeal:

Double by West is automatic.

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

West felt he would have doubled 3♠ more than 50% of the time.

We felt the TD's weightings were reasonable. Other scores are possible, eg 4♠ doubled making, one off or two off.

As a matter of principle, we don't change the percentages unless they are clearly incorrect.

David Stevenson's comments:

There is a growing number of weighted rulings, which TDs have been permitted to do in England for a couple of years. While they tend to be more acceptable to players, there is a danger of an increased number of appeals by players who merely think the percentages are wrong, not the basic ruling.

Following guidance from the World Bridge Federation's Code of Practice, the EBU's Laws & Ethics Committee have decided that once weightings have been decided by TDs, Appeals Committees should not just change them somewhat to what they believe unless they consider they are completely wrong.

For example, suppose a TD gives 50% of game making, and 30% of a part score, and 20% of a sacrifice the other way, the Committee should not change this to 30%, 55% and 15% respectively. However, if they think a part-score completely inappropriate, and an overtrick in game possible, then they could change it to (say) 40% of game making, and 20% of an overtrick, and 40% of a sacrifice. This represents amending the TD's ruling, not just playing with the weightings.

Laurie Kelso's comments:

There is no mention in the write-up of an infraction! I presume that since 3♠ had pre-emptive connotations, it required an alert. If this is so, then the ruling and adjustment seems fine.

Herman De Wael's comments:

I don't think the Appeal Committee ought to have made so little work of this. They are right in saying that they should not fiddle with the weightings, and as far as the percentages awarded to the scores based on West acting are concerned, they are right. But West does have a case to argue for him doubling more than 50% of the time, and the Appeal Committee ought to have considered this a bit longer. They make no reference to their belief that West's double is not as automatic as he himself suggests. West is not asking for 60% (in which case the Committee are right to refuse to change the ruling) but rather 100% or slightly less (in which case they might well give him 100%). The Committee does not judge on this. Personally I feel the Committee should have awarded exactly double the percentages of the Director, omitting of course the 50% for 3♠.

Matthias Berghaus' comments:

Quite a couple of points to this one.

1. Double is not obvious opposite a partner who couldn't act when holding only three hearts. Bidding is dangerous, so is passing.
2. A spade contract is unlikely to make 9 tricks, especially if West doubles 3♠. After a diamond lead declarer should pick up the spades, losing only three aces. After a heart lead it should be routine to take two ruffs, so it should be 10 tricks or 8.
3. What is "clearly incorrect"? 10% off? 20? More? If the AC arrive at a different score they should assign it. It's their job.

Ron Johnson's comments:

Very awkward. I more or less agree with the director's logic but again I feel that the weights are too generous to the offending side. It may not be automatic to balance but I'm sure it's better than 50-50. 75% seems more fair to East/West. The more that I think about this, the more sympathetic I am to the East-West position. We don't know what they would have done absent the infraction and I firmly believe that the weight should be shaded generously to the non-offending side.

Barry Rigal's comments:

Most people would double here as West, and drive to game as East perhaps via 4NT in response. I don't see any reason for the AC to step in in a case like 3 and not in 4. I agree that the weightings are not favorable to E/W.

Eric Landau's comments:

The ruling on the facts is correct, but the weightings assigned to the possible outcomes are peculiar indeed. How can there be a 50% likelihood of 3♠+1, a 20% likelihood of 4♠-1, and no likelihood at all of 4♠=, given that there's no reason for the level of the contract to affect the play of the spade suit. And isn't there some chance that after West bid and pushed North into 4♠, East would lead his singleton for -2?

Richard Hills' comments:

I like the AC's principled decision to begin with a default assumption that the TD's weightings were correct, until demonstrably convinced otherwise. I believe that ACs could adopt a more general default assumption that any aspect of a TD's ruling was correct, until demonstrably convinced otherwise. (**Example:** Following this default assumption would have prevented the AC from erring on Appeal Five.)

Roger Pewick's comments:

I am reluctant to concur with the judgment of the TD or AC. Something does not seem right about the assertion of west. He has seen a dummy that appears to have the values nearly of a limit raise and says that he might have acted on the basis of agreed meaning of 3♠ being preemptive. Well, if he was willing to act over what he could see as a limit raise, knowledge that it was supposed to be preemptive would not appear to be a factor. I therefore do not see W as being damaged this hand. But if he were damaged I would judge that he would enter the auction less than 10% of the time since his failure to [a] take action over what he presumed to be a limit raise [considering his assertion it would be normal to act over limit raise values] and [b] name the action.

There was a MI [Orange book 5.4.3f] infraction that did not damage [Law 40C] and a failure to draw attention to the MI in accordance with Law 75D1. These two violations of procedure are sufficient to warrant a PP of 10%.

Personally, my view is that the opening bid has earned N/S's score and that coming in at the four level is way against the odds, preemptive or not.

Adam Wildavsky's comments:

The practice in some jurisdictions is to apply Law 12C3 to the non-offenders only. Apparently that is not done in the EBU. I'll make my case anyway. NS seem to think they do not need to alert their unusual treatment. Why should they receive any benefit of the doubt as to whether their opponent would have acted had he been properly informed?

For that matter, why not apply 12C2 here for both sides? The committee need only move to 12C3 if they consider the 12C2 adjustment inequitable.

Fearghal O'Boyle's comments:

Does West really think 1♠ - 3♠ shows a good hand these days?

The TD and the AC thought there was misinformation and adjusted accordingly. While they did a good and thorough job it is just the type of adjustment that can be controversial.

Final summary by editor:

While the commentators can say whatever they like, it should be noted that where a commentator is suggesting not following EBU directives there can be no question that the Committee is correct not to do what the commentator is saying. Of course, the commentators can seek to change the EBU's mind as to their procedures.

If the Committee thinks the weightings would be 10% or 20% different if they had made them up it is not their job to overturn the Director. This is based on the WBF's Code of Practice as interpreted by the EBU.

Similarly it is normal to use Law 12C3 where there is any doubt about the future auction absent an infraction. Is anyone really suggesting that without the infraction every player of West's type would always enter the auction at the four-level?

When there is an infraction the Laws primarily restore equity. That is what Law 12C3 does. Using Law 12C2 for the offenders only because this principle is disliked is not EBU practice, except in one specific area, and so the committee was correct not to do so.

APPEAL No 5: Was it weak?

Tournament Director:

Mary Hart

Appeals Committee:

Jeremy Dhondy (Chairman) Ted Martin Michelle Brunner

Swiss Pairs Board no 12 Dealer West NS vulnerable	♠ AQT3 ♥ KT ♦ 92 ♣ AKT42										
♠ 9742 ♥ 7 ♦ AQJT7 ♣ Q86	<table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table>		<i>N</i>		<i>W</i>		<i>E</i>		<i>S</i>		♠ - ♥ AJ654 ♦ K86543 ♣ J3
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	♠ KJ865 ♥ Q9832 ♦ - ♣ 975										

WEST	NORTH	EAST	SOUTH
P	1♣	1♦	1♥
3♦ (A)	Dbl (1)	P	P
P			

(1) Penalty if 3♦ pre-emptive: “action” if 3♦ limit raise

Result at table:

3♦ doubled +2 by East, NS -670, lead ♥3

Director first called:

At end of auction

Director’s statement of facts:

North had asked the meaning of 3♦ before he doubled and was told “We play inverted minor raises: that is weak.”. Before the opening lead, West said inverted minors did not apply following overcalls, but that 3♦ was still weak. If 3♦ had been constructive, a double by North would have been “action”.

Director's ruling:

Table result stands

Details of ruling:

The E/W agreement was that 3♦ was weak. East never specified a point range. Although E/W were convinced that they had given a correct explanation the TD ruled that, while incomplete, the explanation N/S had been given was correct, and therefore there was no reason to adjust the score under Law 75.

The TD found that 3♦ in their agreement would normally be weaker than the actual hand.

Note by editor:

The pair is using the term "action doubles" to refer to "optional doubles" where a double merely shows values and invites partner to do whatever is sensible. The term "action doubles" was coined to cover high-level doubles, typically by a hand that has taken pre-emptive action, to suggest further action seems desirable, but leaves the choice of that action to partner. In other words they are "optional doubles" in a particular situation. For example, 1♠ 4♥ 4♠ P P Dbl to show a very good 4♥ overcall, not just a weak pre-empt.

Appeal lodged by:

North-South

Appeals Committee decision:

Score assigned for both sides:

3♠ +1 by South, NS +170

Deposit returned

Appeals Committee's comments:

West corrected the explanation of 3♦ before the lead was faced but too late for North to withdraw his double. We ruled that North was damaged by the incorrect explanation. South maintained he would have removed to 3♠ if the double had been "action".

N/S were damaged by the incorrect explanation. If South bid 3♠ as he maintained North has no reason to raise to 4♠.

David Stevenson's comments:

There is something very strange here: perhaps something was said at the Appeals Committee that was not recorded on the form.

Judging by what was on the form East said the 3♦ bid was an inverted minor raise. In fact, these are only played after an opening of 1♣ or 1♦, and this was a mistake. However, it appears from the evidence that the 3♦ bid was weak anyway.

Now, if that is correct, then North was expecting West to have a weak hand, and West showed a weak hand. N/S then got a bad score through misjudgement, nothing more. The argument about "action" doubles is irrelevant since the double was not an action double under the explanation given nor was it under the correct explanation!

Laurie Kelso's comments:

Again I agree with the TD. The committee's comments imply that the E/W explanation constituted misinformation. However I cannot discern any evidence to support this from the write-up. The E/W agreement was that 3♦ was weak - and N/S were told this. The "inverted minor" bit is just a furphy. I have no doubt that South would have removed an "action" double. However the reason N/S scored badly was because of North's poor decision in making a "penalty" double of a correctly described pre-emptive raise!

Note by editor:

'Furphy' is an Australian term with a meaning similar to 'red herring'.

Matthias Berghaus' comments:

I don't understand what happened here. West didn't really "correct" the explanation, the TD found that no wrong explanation was given (so no infraction), the committee rules on the basis of misexplanation. Were the director's findings wrong? Did the committee have a brainstorm? Why did North double for penalties with a small doubleton? Maybe North didn't believe the explanation? Lots of questions. No answers. Argh.

Ron Johnson's comments:

A good ruling by the committee as well as a nice explanation of their logic. Some North/South pairs would reach game after this start, but the committee didn't think this pair would and I'm inclined to agree.

Barry Rigal's comments:

As I read it – and perhaps I'm missing something East told North that West's bid was weak, and North doubled – so he knew he was making a penalty double and South knew he knew that. West said that his bid was weak even if the context of the explanation had an irrelevant inaccuracy. No MI, no adjustment. I simply don't understand any reason for not withholding the deposit – I am probably missing something!

Eric Landau's comments:

The director was 100% correct in letting the result stand; the committee seems to have lost its collective mind. East said, "We play inverted minor raises, [therefore] that is weak," which wasn't true, instead of, "We play preemptive raises in competition, therefore that is weak," which would have been. But had gotten it right, West's 3♦ would still have been weak, North would still have been bidding over a 3♦ call that he had been told was weak, and North's double would still have been for penalty. That the N-S agreement would specify "action" doubles had 3♦ been a limit raise matters only in South's and the committee's imagination; it wasn't. N-S were not damaged.

Richard Hills' comments:

The AC were funky gibbons; what "incorrect explanation"???

- The original explanation of 3♦ was "weak".
- The corrected explanation of 3♦ was "weak".
- The partnership agreement about 3♦ was "weak".

The AC weakly focussed on West's actual constructive hand; but West's underbid was lawfully irrelevant.

Roger Pewick's comments:

I concur with the TD ruling given the agreement was in fact weak [no MI] - the meaning of the original explanation was 'weak', and the corrected explanation was 'weak'. The NS score was a result of N's judgment to make a penalty double with his cards and thus was not damaged. I see no valid basis for judging that NS were misinformed except for the inverted minors part which was immaterial; as such the matter of damage asserted by the AC is mute.

Con Holzschere's comments:

The reason that NS did not find their spade was not the slightly incorrect explanation about the strength of 3 diamonds, but the strange 1 heart bid by South. He should bid 1 spade or double to show both majors in case he plays negative doubles in this situation. Therefore, I would not adjust the score, but it is a marginal decision, so I can accept the AC overruling the TD.

The AC seems only to have addressed the question of NS's bidding, ignoring EW. after 3 spades by South, both E and W have hands to bid 4 diamonds and am I am convinced that they will bid 5 diamonds in case NS bid 4 spades, so the best likely for NS is -150 and the assigned score should have been -150 instead of +170.

Adam Wildavsky's comments:

What misinformation? EW play the raise as weak and East explained that it was weak. East also gave extraneous misinformation as to what a 2♦ call would have meant. This was not relevant because (a) 2♦ was not bid and (b) the negative inferences available from the failure to bid 2♦ were the same as the negative inferences available from a failure to cue-bid.

The director seems to have got this one right, and the committee to have mucked it up.

Fearghal O'Boyle's comments:

"The TD found that 3♦ in their agreement would normally be weaker than the actual hand." To me this means that the TD has established that E/W play 'inverted' minor raises. This is what N/S were told so there is no MI. Table result stands.

Obviously the AC found something that I have missed in the nuances of the writeup.

EBU Laws & Ethics Committee comments:

E/W stated that 3♦ was weak. There does not appear to be any evidence that the agreement was otherwise. N/S are not entitled to know what is in W's hand, so the evidence of W's actual hand is only weak evidence of his agreement. In any event, whilst W may well have bid 3♦ with a considerably weaker hand than he held, he does appear to have a pre-emptive rather than a constructive raise. N/S appear to have been damaged by a combination of N's penalty double on a small doubleton, and S's failure to remove it on a void. The L&E saw no basis for a finding of misinformation or consequent damage.

Final summary by editor:

Most of the commentators can see no misinformation: neither could the TD. It does look as though the AC got this one wrong.

APPEAL No 6: High level opening

Tournament Director:

Rachael King

Appeals Committee:

David Burn (Chairman) Su Burn Andrew Southwell

Swiss Pairs Board no 20 Dealer West All vulnerable	♠ JT ♥ AJT973 ♦ AJ542 ♣ -										
♠ 63 ♥ Q6 ♦ - ♣ AKQJ97643	<table style="margin: auto; border: none;"> <tr> <td></td> <td style="padding: 0 10px;"><i>N</i></td> <td></td> </tr> <tr> <td style="padding: 0 10px;"><i>W</i></td> <td style="background-color: #e0e0e0; width: 20px; height: 20px;"></td> <td style="padding: 0 10px;"><i>E</i></td> </tr> <tr> <td></td> <td style="padding: 0 10px;"><i>S</i></td> <td></td> </tr> </table>		<i>N</i>		<i>W</i>		<i>E</i>		<i>S</i>		♠ AQ72 ♥ 5 ♦ KT9863 ♣ 82
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<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠ K9854 ♥ K842 ♦ Q7 ♣ T5										

Basic systems:

North-South play Acol

East-West play Benji Acol, weak NT

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
6♣	Dbl	P	P
P			

Result at table:

6♣ doubled making by West, NS -1540, lead ♦A

Director first called:

Before West bid 6♣

Director's statement of facts:

West reported that, when taking her hand from the board, it had fallen face up on the table. East said he had seen two cards. North and South expressed surprise that East could have seen more than one card. The TD took East away from the table and he said he had seen the queen of hearts and a black ace. These were put face up on the table, and the auction continued, East being forced to pass on the first round.

The TD was recalled to the table by North at the end of the hand. He said that West "must have overheard" something from an adjacent table to open 6♣. After consultation, the TD ruled 6♣ a "normal" action opposite a partner who must pass. North commented that "anyone who thought 6♣ a normal action must be bonkers".

Director's ruling:

Table result stands

Details of ruling:

The TD judged that the auction had commenced (Law 17A) and that only two cards were visible to East. Under Law 24 these were placed face up on the table, and, under Law 24C, East was obliged to pass when next his turn to call.

Appeal lodged by:

North-South

Basis of appeal:

E/W believe more than two cards were visible.

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

Given that N/S said at the time that only one card could have been seen, we consider that no more than two cards were "in a position ... to be seen". The Director's original ruling is therefore the correct one.

David Stevenson's comments:

It is not clear how the TD decided that the auction period had started. Law 17A makes it clear that the auction starts for a partnership when either partner looks at the face of his cards: perhaps East had done so. The original ruling would have been different if the auction period had not started.

The ruling and decision was based on only two cards being visible, and that seems fairly clear once neither defender claimed otherwise at the time.

What of North's assertion that West "must have overheard" something from an adjacent table to open 6♣? I think this crazy – what had she heard – that 6♣ was not making? With a silenced partner 6♣ seems a fair shot, and we know of at least one other table where it was opened with a partner who was not silenced. As for North's comments that "anyone who thought 6♣ a normal action must be bonkers" that makes me bonkers too!

Laurie Kelso's comments:

The basis of this appeal seems fatuous. So what if more than two cards were visible - East is still barred for one round! This committee was very generous in returning the deposit. The only possible grounds for any appeal might, I suppose, have been in regard to the TD's judgment that the auction period had commenced. Had East already inspected the face of his own cards (as required by Law 17A)? West certainly had not.

Herman De Wael's comments:

North/South have no sympathy from me. They try everything. At the table they agree with East getting barred (they could easily have objected at that time), but when that backfires, they try to argue that the Director got it wrong and East should not have been barred. They accuse East of overhearing, and the Director of being bonkers. And then they even go to the Committee. I would have Burned them, rather than return their deposit.

Matthias Berghaus' comments:

West gambled and won. The rest looks like sour grapes.

Ron Johnson's comments:

I would hope that some action was taken against North. Comments like his (in particular the cheating accusation) have no place in the game. I consider this an appeal without merit and I'm surprised the deposit was returned.

Barry Rigal's comments:

The write up says N/S were surprised at **MORE** than one card being seen, the basis of appeal was that they now thought East had seen more than two cards. What's wrong with this picture?

A truly fatuous appeal – the TD has given a sensible ruling – if N/S believe E/W were cheating report it, but don't waste the AC time – take their deposit and tell them so.

Eric Landau's comments:

The director's ruling was correct and should have been the end of the matter. Law 24C applies "if two or more cards are so exposed". The basis of the appeal was given as "E-W believe[d] more than two cards were visible", but whether it was two or more than two has no bearing, and I don't understand why the committee even bothered to come to a finding on that question. I'd have kept the deposit. At least North didn't pursue the appeal on the basis of his initial statement that "West 'must have overheard' something from an adjacent table to open 6♣", which would have landed him in front of a C&E committee.

Note by editor:

The term 'C&E committee' stands for Conduct & Ethics Committee which is convened on occasions at North American tournaments to deal matters. In EBU events such matters are dealt with directly by the EBU Laws & Ethics Committee.

Richard Hills' comments:

*Last night, while climbing up the stair
I met a man who wasn't there.*

Where was the TD's Law 74 ruling against North for their outrageous public assertion that West was a cheat?

Why did the AC go missing on Law 74 also?

Roger Pewick's comments:

North has asserted that West [a] had extraneous information and illegally did not report it and [b] he made use of it. There was no foundation for such an accusation other than a successful bid. North ignored that the bid would have been unsuccessful on a different defense.

The only question addressed was whether the 6♣ was a 'normal' action. I find the facts lacking in that West was not asked what extraneous information he had. Is skirting around an accusation of cheating and hoping it will go away a good idea? I think it is asking for trouble. The way to avoid badly made accusations in the future is to make the person know the gravity of his assertion when they occur so he could have withdrawn it or not. Did the TD attempt to settle the players down to concentrate on the future hands? And did the player apologize?

As to the appeal, the hint of accusation is not there [did N get the message of his inappropriate assertion?] but is based on the director ruling upon incorrect facts [it seems the original facts were correct]. But what does the number of exposed cards have to do with the table ruling being incorrect? Certainly not the difference between two and more than two. Such an appeal is a waste of everybody's time.

Note: the law here and there allows a vague assumption that when partner must pass that the player may presume his call may be his last. It seems to me that the law ought to point it out [Law 10C]. I would do it in conjunction with Law 23.

Con Holzschere's comments:

I consider it absurd that the deposit was returned. NS had no case at all and their 'basis of appeal' was completely irrelevant.

Adam Wildavsky's comments:

East has no UI and may bid as he pleases. No infraction, no damage. Did NS really accuse East of having a wire? Shouldn't North have been penalized for calling West "bonkers"? Some would apply that description to the opening lead. N/S raised no credible new issues at the appeal -- why was their deposit returned?

Fearghal O'Boyle's comments:

The TD and the AC are happy that the auction period has started - presumably East or West has looked at the face of his cards.

The TD has ruled perfectly.

North needs a PP or a warning for his outrageous remarks. If ever an appeal lacked merit this was it!

EBU Laws & Ethics Committee comments:

The L&E considered some comments attributed on an appeal form to a player in a senior position in the EBU. The L&E considered that, if correctly reported, the comments might have led to disciplinary action, and decided to write to the player concerned to reinforce the high standards expected of people in his position.

Final summary by editor:

Most agree that North's comments should have been dealt with more severely. The appeal seems without merit and the commentators generally agree.

APPEAL No 7: Is it obvious?

Tournament Director:

Mike Amos

Appeals Committee:

Heather Dhondy (Chairman) Jon Williams Liz McGowan

Swiss Pairs Board no 9 Dealer North EW vulnerable	♠ A9 ♥ QJ543 ♦ KJ83 ♣ 96										
♠ QT3 ♥ KT6 ♦ Q7 ♣ KT842	<table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table>		<i>N</i>		<i>W</i>		<i>E</i>		<i>S</i>		♠ K854 ♥ 72 ♦ A94 ♣ QJ53
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠ J762 ♥ A98 ♦ T652 ♣ A7										

Basic systems:

North-South play Precision Club

East-West play 5 card majors

WEST	NORTH	EAST	SOUTH
	1♥	P	2♥
P	P	Dbl	Redbl (1)
3♣	P	P	3♥
P	P	P	

(1) Good values

Result at table:

3♥ -1 by North, NS -50, lead ♣x

Director first called:

At end of hand

Director's statement of facts:

North called the TD and expresses the feeling that something had gone wrong – the bidding was as shown. The play went as follows:

[1] ♣ to A in dummy

[2] ♦2 – 7 – J – 4

[3] ♥Q – 2 – 8 – K

[4] ♦Q – K – A

[5] ♦ - ruffed by West.

When trick 2 had been played East had required the cards played to be refaced. North argued that it was not obvious to lead ♦Q at trick 4.

West when asked said it was obvious to play ♦Q. He was surprised it had been covered. East argued that he had only played small cards and these were suit preference for diamonds.

Director's ruling:

Score assigned for both sides:

3♥ making by North, NS +140

Details of ruling:

The TD thought there was UI from the interest expressed in the ♦ suit and that the ♦ switch was not obvious and there were alternatives (Law 16A2).

Appeal lodged by:

East-West

Appeals Committee decision:

Table score re-instated

Deposit returned

Appeals Committee's comments:

The king of clubs was cashed prior to the ♦Q play. Partner played the ♣5 on this trick.

We could think of one hand where a spade switch might be necessary – when North held ♠Axx ♥QJxxx ♦AJ9 ♣xx, however we felt that the ♣K cash and suit preference signal was relevant and this was not communicated to the TD prior to giving the ruling.

David Stevenson's comments:

Despite being during the play this is just another unauthorised information case, except that the players do not seem to have told the TD everything that happened!

Laurie Kelso's comments:

East's request to re-face the cards played at trick 2 certainly constitutes unauthorised information to West. Unfortunately I don't see the ♣5 as an unambiguous suit preference effort - East would have no choice of plays given an original holding of ♣Q53. There is nothing in the write-up to convince me to vary the Director's original adjustment. I still believe that a spade is a logical alternative to the ♦Q at trick five, in spite of the additional facts.

Herman De Wael's comments:

If the players cannot tell the Director what happened, why should they be granted the right to an appeal? It seems as if the Director and the Committee both got it right, given the cases they were presented with.

Matthias Berghaus' comments:

A bit difficult without knowledge of E/W's carding agreements, but the committee seems to have got it right. So did the director with the information at his disposal.

Ron Johnson's comments:

Based on the information that the director had, his ruling seems correct. It's much less clear given the information about the club play before the diamond switch.

It is clear to me that West had unauthorized information and that the unauthorized information suggested a diamond play. I would argue that a spade shift is a logical alternative unless East/West could convince me that they give frequent suit preference signals in positions similar to trick 4 on this hand.

Barry Rigal's comments:

Inappropriate ruling. The AC correctly worked out that the diamond play was automatic in context – East would not have ducked the ♦K with the counter-example hand given in case partner had the ♦9. Well done – but the initial TD ruling seems a little harsh.

Eric Landau's comments:

The director should have let the score stand, and the committee didn't need to discover a trick missing from the recount of the play or a presumptive suit-preference signal to overrule. Players should be given the benefit of the presumption that, absent any evidence to the contrary, when they want to review a trick it's because they didn't see all the cards before they were turned. If East had hitched before playing the ♦4, or done anything that might reasonably suggest possession of the ♦A, it would be a whole different story, but there is no indication that that was the case.

Richard Hills' comments:

In this case, as in many others, the AC was able to discover additional relevant facts that consequently changed the ruling. This case is a powerful argument against the ACBL proposal to abolish ACs.

Roger Pewick's comments:

I think it would have been helpful to ascertain the tempo of the initial tricks and if there was ample time to inspect the trick before it was turned. For all we know it was declarer that perpetrated East into asking to face the cards. As such I am not in a position to judge that material UI was made available. As it was not mentioned that the inspection of the trick was inordinately long it is surely reasonable to presume that it wasn't. I do not know if the inspection of trick 2 demonstrably suggested anything other than East wanted to be sure of the spots. Personally for a contestant that plays smoothly I think it is reasonable to allow some latitude when he leaves his card faced if he needs to think. Nonetheless, surely he must be permitted to digest the cards that have been played without presumption of gratuitous communication.

With respect to bridge judgement leading the second diamond looks imperative. An inference from the early diamond finesse is that declarer has length and probably needs a second finesse [if declarer only needed one finesse he may have delayed it for later]. If partner does not have the ♦A then it would unlikely matter what was returned (Concerning the suggested layout [giving East ♦K8xx] where it would be beneficial to not play a diamond, it can be refuted by East winning the first diamond and returning a diamond while still having the ♣Q as an entry to give a diamond ruff.). Therefore with the drawing of trumps pending, if he was searching for a ruff it tends to be illogical for W to not lead his diamond. I am inclined to believe that the order that declarer played his cards had more to do with the number of tricks taken than the inspection of trick 2.

I think that the TD ruling was brought about by White Book 81.11.4. It would be nice if the AC decision could have been given by the TD.

Note by editor:

Section 81.11.4 in the White book gives a long description of "The role of the TD".

Adam Wildavsky's comments:

The committee had more information than the director and so made a better ruling.

That said, I'd like to hear West say that he interpreted East's club spot as suit preference. How East interpreted it is not relevant. West said it was obvious to switch to diamonds -- some might interpret that to mean that it was obvious once he knew his partner was interested in diamonds.

Fearghal O'Boyle's comments:

Although the facts have changed I still like the TD's ruling here.

But the AC are made up of good players who can judge logical alternatives better than I. Is switching to the ♦Q really that evident?

I am not impressed with East's behaviour at trick 2. I need more convincing from E/W that the ♣5 is 100% suit preference.

Final summary by editor:

Not a very clear case. However, the extra information may mean that both the TD ruling and the AC's decision were correct.

APPEAL No 8: Can South progress after a signoff?

Tournament Director:

Ian Muir

Appeals Committee:

Jeremy Dhondy (Chairman) Ted Martin Frances Hinden

Swiss Pairs Board no 14 Dealer East None vulnerable	♠ J97643 ♥ KJT3 ♦ J2 ♣ J										
♠ K5 ♥ Q92 ♦ K84 ♣ QT642	<table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table>		<i>N</i>		<i>W</i>		<i>E</i>		<i>S</i>		♠ Q2 ♥ 765 ♦ QT5 ♣ K9873
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠ AT8 ♥ A84 ♦ A9763 ♣ A5										

WEST	NORTH	EAST	SOUTH
		P	1♦
P	1♠	P	1NT (1)
P	2♠ (H)	P	3♠
P	4♠	P	P
P			

(1) 15 – 16

Result at table:

4♠ +1 by North, NS +450

Director first called:

After North's call of 4♠

Director's statement of facts:

East called to record the fact that North had paused before bidding 2♠. This hesitation was agreed by North.

TD was recalled at the end of play and asked to consider if South's 3♠ call was justified.

Director's ruling:

Score assigned for both sides:

2♠ +3 by North, NS +200

Details of ruling:

Following North's hesitation, South has a logical alternative to 3♠ of pass (in the TD's view only just) and continuing could have been suggested by the UI (Laws 73, 16A2). Thus South's call of 3♠ is disallowed.

Appeal lodged by:

North-South

Appeals Committee decision:

Table score re-instated

Deposit returned

Appeals Committee's comments:

3♠ was an evident action and the table result is restored.

The hesitation made a try easier but the Committee thought it was a very clear (more than 80%) action.

David Stevenson's comments:

A very close decision: was passing 2♠ a logical alternative? The standard in England and Wales for a logical alternative is one that at least 30% of a player's peers would choose. It tends to be a bit more embracing elsewhere in the world.

Laurie Kelso's comments:

Does the hesitation demonstrably suggest extra values or is it just doubt about the correct strain (spades or no trumps)? I agree that South's control rich hand warrants a forward move.

Herman De Wael's comments:

OK, South has a maximum (although not a fourth spade), but does that satisfy a 80% judgment?

Matthias Berghaus' comments:

Quite generous decision by the committee. Can't North be 5332, the weak spade suit being worthless in NT? Qxxxx Jxx Jxx Qx? Or even Jxxxxx Jxx Jx KQ? Not much play in 4♠, even three is not too hot. Yes, the South hand is well suited to a spade contract, but I don't think it is as clear as the committee makes it. A split score or a 12C3 adjustment seem to be in order.

Ron Johnson's comments:

I agree with the director's judgment. It's close, but I think pass is a logical alternative.

Barry Rigal's comments:

Were N/S playing new minor or Crowhurst; would 3♠ have been invitational? We need to be told! Appalling decision; 2♠ is natural weak and to play. Why did South bid on – we all know why. At the very least N/S should be left with +200, but my firm view is that this should be the score for both sides.

Eric Landau's comments:

I agree with the committee. It is interesting to note, however, that in the ACBL, where the guidelines for determining what constitutes a "logical alternative action" are far more permissive, it would have been wrong to overturn.

Richard Hills' comments:

I disagree with the AC's judgement. Surely, even in English fields, it was not an 80% action to bid on over a drop-dead bid.

South made a 15-16 limit rebid of 1NT. North stated, "Okay, let's play in 2♠." South did not even hold a fourth spade for their push to 3♠.

Admittedly, South was Walter the Walrus. Four aces mean that the South hand was really worth a 17-18 limit rebid of 2NT. But South was not entitled to use UI to correct their previously deficient hand evaluation.

Roger Pewick's comments:

I do not concur with the judgment of the AC. The S hand is aces and spaces. He has no information that N has other than minimum values except from his tempo. If 3♠ by S is a systemic action then do it without UI. Give N a hand like QJxxx-QTx-xxx-Jx and he will need all of south's values to make 2♠ let alone three. Therefore it is strongly logical for south to not invite over 2♠. Had S rebid 2♥ then the inference of extra shape and probable strength are present to warrant a jump to 3♠. But S did not do so [and in a weak NT system I agree with him].

Adam Wildavsky's comments:

I sympathize with both rulings. North ought to plan his auction so that he doesn't need to hesitate over the 1NT rebid. 1NT from partner was not only not unexpected, it was the only rebid he'd have a problem over.

This decision shows the pernicious nature of the "30%" standard. If (say) 20% of South's peers would have passed an in-tempo signoff then NS have gained a 20% edge to which they are not entitled. I believe that Kaplan's (now the ACBL's) interpretation makes more sense here -- a logical alternative is "any action a number of the player's peers would seriously consider."

Fearghal O'Boyle's comments:

Another judgement case.

Personally I find it hard to believe that more than 80% of South's peers would bid 3♠ without the hesitation from North.

I agree with the TD - adjust to 2♠+3.

Final summary by editor:

This is just a question of judgement. There was much discussion at the time about this case, with a lot of good players of the view that no-one would ever pass 2♠.

Some of the commentators have given possible hands for North that are of 5-3-3-2 shape. I believe the English style is that 2♠ would always have a sixth spade – and that might be relevant to the judgement of the hand.

APPEAL No 9: What level event?

Tournament Director:

Liz Stevenson

Appeals Committee:

Chris Jagger (Chairman) Eddie Lucioni John Holland

Multiple Teams Board no 16 Dealer West E/W vulnerable	♠ JT73 ♥ AQJT4 ♦ - ♣ K762										
♠ 85 ♥ K873 ♦ A52 ♣ AQ98	<table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table>		<i>N</i>		<i>W</i>		<i>E</i>		<i>S</i>		♠ KQ9 ♥ 952 ♦ KJ8763 ♣ T
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠ A642 ♥ 6 ♦ QT94 ♣ J543										

WEST	NORTH	EAST	SOUTH
1NT	2♣ (A)	3♣	P
3♥	Dbl	3NT	Dbl
4♣	P	4♦	Dbl
P	P	P	

Result at table:

4♦ doubled -3 by East, NS +800

Director first called:

At end of hand

Director's statement of facts:

East asked the meaning of 2♣. South described it as one-suited. Before the opening lead North said her partner had misdescribed her hand. The real meaning was hearts and another suit.

The TD asked East what he would have bid if given a correct explanation. He said he might have passed, bid 2♦ or 2NT.

Director's ruling:

Table result stands

Note by editor:

Multiple Teams is called Round Robin Teams in many parts of the world. The defence to 1NT described by South was not permitted in this minor event, though it was permitted in the major event that had preceded it. Apparently N/S were aware of this and played different systems in different events as permitted, but South had not realised in what level event he was playing.

Appeal lodged by:

East-West

Appeals Committee decision:

Score assigned for both sides:

3NT -3 by West, NS +300

Deposit returned

Appeals Committee's comments:

Had West known North had hearts he would certainly not have bid 3♥. He says he would have bid 3NT, and it is not obvious for this to be doubled. In fact E/W are damaged by an explanation of a forbidden convention, even though N/S were playing a permitted convention. East reasonably did not know how to defend against this, and tried a '3♣ cue'. He would presumably have made a 2♥ cue given the correct explanation, and played in no-trumps.

David Stevenson's comments:

It is far from clear what East thought he was doing when he bid 3♣, which seems a strange action on the hand whatever it meant. Thus deciding what would have happened if it had been correctly described is rather difficult. Of course a cue-bid of 2♥ would have been available, but he did not suggest he might have bid that when given a chance to say so by the Director.

Laurie Kelso's comments:

E/W appear to have been damaged by the incorrect explanation, although there is nothing in the write-up to indicate what the E/W methods were over 2-suited overcalls. It is interesting that the committee have based their adjustment on a likely scenario following a 2♥ cue bid by East (having obviously discounted East's earlier alternative suggested actions).

Herman De Wael's comments:

Obvious misinformation. Fairly obvious damage. Not sure where the contract is heading, but the Committee's decision seems about right.

Matthias Berghaus' comments:

What was the basis for the director's decision? Did E/W have any agreed defence to "hearts and another"? Questions again.

Is there any "consequent" damage after East didn't bid 2♦? I don't think so. Anyone "cueing" with the East hand opposite a weak NT deserves what he gets. But if you can persuade me that there is consequent damage, surely 3NT undoubled can't be right, can it? South will double 3NT whatever the bidding sequence. Anyway, we would have to let East bid a "sane" 2♦, now that he is no longer flustered by an illegal convention, and give an adjustment on this basis. In all probability Law 12C3 would have to be invoked in view of the many possible contracts and results.

Ron Johnson's comments:

I have mixed feelings about this one. It's true that there was a mis-explanation but his actions show that he over-valued his hand. A natural 2♦ call was available but evidently he felt that didn't do justice to his hand. I'm inclined to agree with the director's ruling here. I could easily be persuaded otherwise I think. It is fairly normal to lose your way when facing an unfamiliar situation.

Barry Rigal's comments:

The TD ruling is truly ridiculous – are the non-offenders entitled to no protection – would ANY pair finish in 4♦ had they been properly informed? East might well have jumped to 3♦ or bid 2♦ over the proper explanation, or bid 2♥ then 3♦ and played there facing a non-maximum. Ungenerous ruling to the non-offenders.

Eric Landau's comments:

"The TD asked East what he would have bid if given a correct explanation. He said he might have passed, bid 2♦ or 2NT." So the committee decided that "he would presumably have made a 2♥ cue given the correct explanation"? I think the committee was trying much too hard not to be too generous to the non-offenders and wound up being far too generous to the offenders. I'd have "allowed" East to bid 2♦ over 2♣, and awarded something like 40% of 2♦-1 +50 + 20% of 2♥-1 -50 + 20% of 3♦-2 +100 + 20% of 3♦X-2 +300.

Richard Hills' comments:

I cannot fathom the TD's judgement to let the table score stand, given the prima facie plausibility of the non-offending side being damaged by the MI. At the very least the TD should have used Law 83 to voluntarily refer their decision to an AC, rather than leaving it to the non-offending side to lodge an appeal.

Roger Pewick's comments:

East's actions seem to make clear that it was a matter of judgement to be in the auction and because he entered the auction with less than substantial values at the three level [instead of 2♦] it did not matter to him what the meaning of 2♣ was except that it was artificial [there is nothing to prevent a single suited hand from having a second suit]. No damage in east's bidding 3♣.

Facts are lacking as to the agreement to 3♣ and whether W was damaged [3♥ instead of perhaps 3♦?] in his response thereto. If W was damaged [there were no facts presented to the TD that W claimed he was damaged] then I think that a Law 12C3 [weighted for the final contract to be doubled and not doubled?] score is appropriate.

There is the issue that the original explanation was for an illegal convention. The call actually employed was not illegal so 2♣ was not an infraction. Once 2♣ was explained E/W had the opportunity to call the TD about the use of an illegal convention immediately and did not do so.

In the AC, facts were presented that W claimed damage. He asserted [a] that he would rebid 3N and [b] it was not clear to double. Both are reasonable. There is an issue with whether E will sit for 3N or take out to 4♦ but it is reasonable to ignore it.

Con Holzschere's comments:

I don't understand the decision of the AC. If East is given the correct information, it is not obvious that he will bid game. With 9 points opposite (presumably) a 12-14 Notrump and the danger that the diamonds are badly divided (North having shown a 2-suiter), bidding two or three diamonds or bidding 2 hearts (as suggested by the AC) and subsequently passing 2 NT are reasonable options, so using Law 12C2 I would give a score of -100 for EW and +100 for NS. I might be talked into -200, but -300 is definitely too much).

Adam Wildavsky's comments:

The director's ruling is literally inexplicable. The director ought to have indicated which infractions she found were or were not committed under which laws, and why she was not adjusting the score.

The committee's ruling seems reasonable, but they also do not indicate which law or laws they applied. Under Law 12C2 they are required to assign to the offenders the most unfavorable result that was at all probable had they explained their convention correctly. I do not believe the committee ruled as the laws require.

Fearghal O'Boyle's comments:

A tough one! There are many good answers. So maybe this is a hand for a Law 12C3 adjustment.

At the back of my mind is the feeling that East's decision to bid over 2♣ was the cause of his side's poor result. On the other hand he was trying to counter a convention he shouldn't be meeting. So maybe his 3♣ is not an egregious error.

So I agree with an adjustment - but to what? Why would East bid 3♣ or even 2♥ if he had been given the correct explanation of the North hand? Maybe he would do something else like he said at the time.

Maybe North will end up in 2♥?

I think the AC could have done better.

Of course North needs to be reminded that the proper time to call the TD is after play ends.

Final summary by editor:

The commentators tend to disagree with the TD, with various strengths. All the same, they do not really seem to me to explain why a player who can find a 3♣ bid on the actual explanation and hand and is not going to change it to the "obvious" 2♥ is necessarily damaged.

The suggestion of the TD taking it to appeal is just not right. Either the TD feels she has made the right ruling, or she would have ruled differently. England does not want to revert to the approach by TDs and ACs of North America in the eighties where TDs relied on ACs to do their job for them.

APPEAL No 10: Average plus to the offenders!

Tournament Director:

Mary Hart

Appeals Committee:

Nissan Rand (Chairman) Keith Stanley Liz McGowan

Pairs Board no 15 Dealer South N/S vulnerable	♠ 62 ♥ QJT983 ♦ T98 ♣ 54										
♠ KQT3 ♥ AK62 ♦ 762 ♣ K3	<table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table>		<i>N</i>		<i>W</i>		<i>E</i>		<i>S</i>		♠ A974 ♥ 7 ♦ A543 ♣ J762
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠ J85 ♥ 54 ♦ KQJ ♣ AQT98										

Basic systems:

North-South play Acol with Multi

East-West play Acol

WEST	NORTH	EAST	SOUTH
			1NT
Dbl	Redbl (A)(1)	P	2♣ (A)
P	2♥	Dbl	3♣
Dbl	3♥	Dbl	P
P	P		

(1) Shows a long single-suiter: partner must bid 2♣.

Result at table:

3♥ doubled -2 by North, NS -500

Director first called:

At end of hand

Director's statement of facts:

TD was called by South who queried the double over the 2♥. South had asked what the double was before bidding 3♣ and was told penalties. West told the TD that their system was that if East had passed then double was for takeout. There was no evidence on either convention card of this system.

West had previously been told after the redouble that North had a single suit.

Director's ruling:

Score assigned for both sides:

2♥ doubled -1 by North, NS -200

Details of ruling:

The basis of the TD's ruling is as West had already been told that North had a single suit there is no way that West looking at AKxx could possibly have taken East's double as penalties. Also there was no evidence on the convention card that this was their system (Law 75 footnote).

Note by editor:

This was in the Senior's Pairs, which is a European event held at Brighton under the auspices of the EBL.

Appeal lodged by:

East-West

Director's comments:

The TD has ruled on the basis that the TD is to presume mistaken explanation rather than mistaken bid in the absence of evidence to the contrary.

Appeals Committee decision:

Artificial score awarded:

Average minus to N/S, average plus to E/W

Deposit returned

Note by editor:

This is not the common score of average minus for the offenders and average plus for their opponents: note that it is the **offending side** who have received average plus.

Appeals Committee's comments:

The Committee did not want to rule against the TD's decision but felt NS -200 was too generous. The Committee decided to have a split score, 60% for E/W, 40% for N/S.

David Stevenson's comments:

The evidence from the TD seems a little confusing: either double was for penalties, and N/S were not misinformed, or it was not and they were. East's hand certainly suggests it was not for penalties.

It is difficult to see how the Committee could have done anything else but one of the following three actions:

- (1) Decided that East's double was for penalties, thus there is no misinformation, no reason for an adjustment, and the table score (3♥ doubled -2) is re-instated.
- (2) Decided that East's double was not for penalties, thus there is misinformation. No doubt South would pass and the TD's ruling (2♥ doubled -1) would be upheld.
- (3) Decided that East's double was not for penalties, thus there is misinformation. However, also decided that South's 3♣ bid is so bad that it constitutes "wild or gambling action", with at least the possibility of a double shot. Then the correct decision would be for the offending side (E/W) to get an adjustment to 2♥ doubled -1 and the non-offending side (N/S) to be denied redress, ie the table score (3♥ doubled -2) is applied solely to them.

The actual decision is curious. It looks as though the Committee produced a creative decision along the line of (3) but it is difficult to see how it is legal.

Notes:

- (a) The score outlined in (3) above where each side gets a different score is called a "split score", different from a "weighted score" where both sides get the same score, but it is calculated as a percentage of various other scores. There are several examples of weighted scores in other EBU appeals.
- (b) The double shot referred to in (3) above refers to where a player thinks he will get a favourable ruling and tries some extraordinary action to get a better score, knowing that he will get a ruling in his favour if it does not come off. This is legal in most sports but not acceptable in bridge.
- (c) The standard for denying redress is different in England and Wales from the rest of the world. In most of the world "irrational, wild or gambling" action is the standard, whether or not a double shot is involved. It is difficult to see how the English standard is reached here, though perhaps the European standard was.

Laurie Kelso's comments:

The director's ruling and adjustment were well reasoned. I don't understand the relevance of the committee's "too generous" comment. The number of matchpoints the pair ultimately garnered should not have been a consideration when determining the size of the adjustment.

The awarding of an artificial adjusted score also seems wrong since a necessary prerequisite condition for the use of Law 12C1 is that "no result can be obtained". This was not the situation here (a result was obtained)!

Herman De Wael's comments:

Under Law 12C3 the Committee can do whatever it feels is equitable. If they think that 60% of the MP is equitable, who am I to disagree?

Of course this is not an Average plus but rather a score reflecting that East/West had already moved "ahead" on this board and that despite their infraction they deserve to keep that advantage.

Matthias Berghaus' comments:

Mom, Dad, it's me!! I'm on Candid Camera!!

What do you mean, there is no camera here?? This is a real case?? Aaaaaaargh.

Let's see.... West explains that East's double is penalty, and that a double by West would have been takeout, presumably in case East has a penalty pass.... Small wonder there was no evidence of this on the convention card. This 3♣ bid by South certainly deserves at least –500, but the director understandably found no basis in law for such a decision, which is a shame, somehow.

AKxx in West are not really relevant if the actual agreement is penalty (though I'm quite interested in what Herman will have to say about this), but since it could not be proven the director correctly ruled misexplanation and adjusted the score. So far, so good. Bringing this appeal should have lost E/W their money, but look what happened next! Not only did the committee overturn the decision, no, they gave an artificial score to boot! Now the laws are quite clear in when to give an artificial adjusted score, and this is not one of them. A score has been obtained, artificial scores are out now. On top of this they gave 60% (average plus?) to the offenders (!!!), because –200 was too generous (to whom, anyway? Presumably 200 would have been more than 60% for E/W in a pairs event.) !!! Who cares? The rules tell us how to decide such a case, the director did so, case over. If this is what would have happened without the infraction, so be it. Surely South would have passed the double, as would West.

N/S -200. Next case.

Words fail me to describe this committee's performance. You are sure there is no camera here?

Ron Johnson's comments:

Very tricky. I agree with the director's ruling. I have a great deal of sympathy with the committee, but the game is not best served by a committee making an illegal ruling. I've long felt that any time a committee over-rules a director they should cite the law that they are using as the basis for their ruling.

Barry Rigal's comments:

This is an illegal ruling by the AC is it not? If West believed the double was penalties he was going to pass 2♥*. So why should he not benefit from his own stupidity? It would normally cost him – but here he was going to collect 200 and you can't take that away from him can you just because he is a senior and thus suffering from senility?

Eric Landau's comments:

If the committee "did not want to rule against the TD's decision" they shouldn't have mucked with it. Their job is to determine equity on the hand, not on the scoresheet, to decide what might have happened at the table absent the infraction, not to worry about how many matchpoints that result would be worth or who might finish where in the event as a result of their ruling. 2♥X-1 -200 is either right or wrong; if it's right, the committee has no business worrying about how "generous" it is.

Richard Hills' comments:

East-West provided conflicting evidence as to whether their agreement concerning East's first double was penalties, takeout, or undiscussed. Therefore, the footnote to L75 required the TD to rule that West had provided MI to South. Did the MI cause damage? South's escape to 3♣ was careless or inferior on the explanation given, but would have been irrational had South been informed that East's first double was takeout.

I conclude that the TD gave an impeccably correct ruling.

Again the AC were funky gibbons. If the AC had wished to award an artificial adjusted score, then the AC should have asked the TD if that artificial score was legal. On this deal an artificial score was clearly illegal, as the offending side were given Ave+, while L12C1 states:

“average plus (at least 60% in pairs) to a contestant in no way at fault”.

Furthermore, in my opinion, the AC acted **doubly** illegally, as the precondition of an artificial score listed in the Laws

“awarded in lieu of a result because no result can be obtained or estimated for a particular deal (e.g., when an irregularity prevents play of a deal).”

had not been met. If the AC wished to rule that South's 3♣ bid was wild or gambling, then, in my opinion, its only legal option was to decide on an assigned adjusted score

“awarded to one side, or to both sides, to be the result of the deal in place of the result actually obtained after an irregularity.”

split under Law 12C2. So the AC could have legally ruled North-South 3♥x –500; East-West 2♥x +200.

Roger Pewick's comments:

On the facts presented I do not concur with the TD that E/W have lied.

Was there MI? I don't know. There is no evidence that there was either a misexplanation or a that doubling for penalties with two defensive tricks was a misbid [misjudgment maybe?]. The last time I checked it is not required that players have a sound system or one that makes sense. The explanation was suspicious because of west's strong heart holding and it is incongruous to explain 'penalty' when he knows that East is not doubling based on heart strength. But it also is a breach of propriety to have said it was not penalty when the agreement was penalty. Did E/W change their story? No. Looking at the convention card and no further hardly seems to be much of an investigation.

According to the facts the double was not alerted. This is consistent with a penalty double according to Orange Book 5.3.1dii. If the explanation had been incorrect then it was a serious breach of propriety for east to fail to call the TD as required by Law 75D2, yet he did not call as would be consistent with a correct explanation.

According to south's system I don't feel that there was a need for asking about the double. Irrespective of the presence or absence of MI, taking out to 3♣ was anti-system, was irrational, and wild, and gambling and therefore the result was earned.

Was the AC applying Law 12C3 to do equity? It seems to me that artificial scores are not an available route to achieve a '60-40 split'. As far as equity is concerned anything other than the table result is inequitable.

[Personal note: I often double at low levels for penalties based on power and not trump tricks].

Con Holzscherer's comments:

The decision of the AC is unbelievably bad. A number of remarks:

- A bridge result was obtained, so Law 12C1 should never be applied and average-plus versus average-minus is not appropriate.
- Even if 12C1 applied, the score should have been average-plus to the non-offenders.
- The TD decision was reasonable, and the opinion of the AC that it was 'too generous' is nonsense. I would guess that the normal result on this board would be 4 spades minus 1, so -200 for NS will be below 40%.
- Even assuming mis-information, I don't think that there was damage. Whether or not the double of two hearts is penalty, South should not run. It is extremely improbable that NS will make two tricks more in clubs than in hearts, so I would rule 'no damage' and leave the table result. I can accept the TD decision however.

Adam Wildavsky's comments:

The committee thought -200 was "too generous"? By what standard? If the committee does not cite any law, we have no reason to believe that their ruling was reasonable. Under Law 12C3 their ruling may be legal, but the write-up gives us no reason to believe that they applied that law or indeed any other.

This decision is just one good argument against 12C3, which in effect allows committees to give the force of law to their feelings.

Fearghal O'Boyle's comments:

What possessed South to bid 3♣? Even if East has a penalty double, can 3♣x be much better? In an EBL event I think the 3♣ bid qualifies as an egregious error. So let N/S live with their 3♥ x-2 (-500).

Regarding E/W, maybe West was describing their agreements correctly - the double of 2♥ is penalty? However the TD has investigated the matter and has ruled mistaken explanation. So adjust the E/W score to 2♥ x-1 (+200).

Presumably the AC have their own reasons why they awarded an artificial adjusted score rather than an assigned adjusted score?

EBU Laws & Ethics Committee comments:

When an Appeals Committee gives an adjustment on a board where a result has been obtained at the table, and feels a single assigned score does not achieve equity, then EBU practice requires a weighted score comprising percentages of various results which can then be calculated by the scorers. It is not the correct method to give either side a score such as "60% of a top". It was particularly surprising that the Committee in this case had given the offending side 60%.

It was noted that this particular appeal arose in the EBL/EBU Seniors Pairs at the Brighton Summer Congress, so the actual decision might have been following EBL practice rather than EBU practice.

Final summary by editor:

The decision was illegal. It is sad that one of our American commentators sees it as an argument against Law 12C3 rather than just an AC with a mind of its own. Law 12C3 is applied by giving weightings to various scores as can be seen in several other cases in this book.

Most of the commentators seem agreed that this Committee was on a different planet!

APPEAL No 11: Is slam a possibility?

Tournament Director:

Eitan Levy

Appeals Committee:

Peter Lee (Chairman) Frances Hinden Eddie Lucioni

Pairs Board no 2 Dealer East NS vulnerable	♠ KQ832 ♥ Q4 ♦ AT75 ♣ 76										
♠ - ♥ J98653 ♦ 842 ♣ 9842	<table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table>		<i>N</i>		<i>W</i>		<i>E</i>		<i>S</i>		♠ T965 ♥ AT72 ♦ 6 ♣ AKT3
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	<i>S</i>										
	♠ AJ74 ♥ K ♦ KQJ93 ♣ QJ5										

Basic systems:

East-West play 4 card majors

WEST	NORTH	EAST	SOUTH
		1♣	Dbl
2♥ (A)	4♠	P	P (1)
P			

(1) South asked the meaning of 2♥ and 1♣, and thought briefly before passing. 2♥ was weak, 1♣ was natural.

Result at table:

4♠ making by North, NS +620

Director first called:

At end of auction when dummy was tabled

Director's statement of facts:

West called when the dummy was tabled and reserved his rights. After the hand he stated that had South not thought, he would have bid 5♣. He said that South had no bridge reason to think. He said the hesitation was substantial.

South said that she had considered whether to bid a slam.

Director's ruling:

Table result stands

Details of ruling:

South had a demonstrable bridge reason for thinking (Law 73F2). Inferences from (tempo) variation may be drawn at his own risk (Law 73D1).

Appeal lodged by:

East-West

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

South has reason to think a little.

In any case 5♣ is quite risky with no guarantees. It may be a phantom.

David Stevenson's comments:

One wonders whether this appeal really had merit. If South think she might be close to the slam zone why should she not consider a little?

Laurie Kelso's comments:

If South had a "demonstrable bridge reason", then there is no infraction. The committee's inclusion of the words "a little" suggests the decision was close.

Herman De Wael's comments:

Again it all hinges on whether the hesitation was substantial or not. I can well imagine that South has to reflect if going on is possible, but not a long pause for thinking. It's not easy to judge from a distance, and without hearing the first-hand evidence of the players.

Matthias Berghaus' comments:

What kind of player was South? A good and experienced player should be ruled against here, as slam cannot be on opposite a North hand unable to cue, but South is quite a bit over minimum and possibly has to take some time to think in order to realize this. If director and committee think so it's okay with me.

Ron Johnson's comments:

Seems clear to me. South has a little bit of extra playing strength but no safe move. In other words, demonstrable bridge reasons for the hesitation.

My only question would be about retaining the deposit. I'd lean towards keeping it, but I hold no strong opinion.

Barry Rigal's comments:

Take the money and run! This appeal has no merit. The TD has given a ruling on a set of facts and if you argue and are wrong you really are wasting the AC time and deserve to be informed of this. South is entitled to think – if E/W believe that South thought they might be saving in clubs on this board (look at his club holding!):

1. They need their heads examined
2. The proper forum for accusing your opponents of cheating is a recorder form or the UK equivalent. Not the AC room.

Richard Hills' comments:

Although the appellants were the notional non-offending side, this did not necessarily require the return of the deposit.

Roger Pewick's comments:

Outside of the action taken, North has made it impossible for South to have important information for judging whether to bid onward. But not all players know it until they think it over. South does have a valid reason for taking extra time but it is marginal.

E/W made two issues.

- [a] they disputed the magnitude of the tempo break, but not at the time of the TD ruling and
- [b] South had no valid bridge reason to break tempo.

I feel that there is a latitude in which situations 'justify' additional time to consider actions. Though I would not take additional time with the south hand I judge it to justify extra time, but just barely. (I mind just a little bit, but not enough to challenge it harshly, the assertion that west would have bid 5♣ as being presumptuous- it would be rare that I would bid on to 5♣ especially after seeing dummy; too expensive, too often.) As such, E/W make inferences at their own peril. It is correct for the table result to stand.

Con Holzcherer's comments:

I consider it incorrect that the deposit was returned. E/W did not have a good case. An additional remark that the AC could have made:

- The fact that EW missed their save was due to East's pass over 4 spades; he should have bid 5 hearts.

Adam Wildavsky's comments:

Fine rulings by the director and the committee, but why was the deposit returned?

Fearghal O'Boyle's comments:

Why was the deposit returned?

Final summary by editor:

Well, why was the deposit returned? The commentators seem more of a mind on this case than most!

APPEAL No 12: “Stop” – whoops!

Tournament Director:

Mike Swanson

Appeals Committee:

Sandra Landy (Chairman) Cameron Small Bill Hirst

MP Pairs Board no 19 Dealer South EW vulnerable	♠ JT987 ♥ T ♦ AQ875 ♣ 95										
♠ A5 ♥ 9872 ♦ JT ♣ AKT76	<table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table>		<i>N</i>		<i>W</i>		<i>E</i>		<i>S</i>		♠ 43 ♥ KJ64 ♦ 96432 ♣ J3
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	♠ KQ62 ♥ AQ53 ♦ K ♣ Q842										

Basic systems:

North-South play Acol + Multi

East-West play Benjaminised Acol

WEST	NORTH	EAST	SOUTH
			1♥
2♣	2♠	P	3♠ (1)
P	4♠	P	P
P			

(1) South mistakenly used the Stop card as she had thought she was responding to 1♠.

Result at table:

4♠ making by North, NS +420

Director first called:

At end of hand

Director's statement of facts:

E/W had "reserved their rights" at the end of the auction but as there was no dispute over the facts the TD was not called until the end of play. The TD asked N/S whether the 2♠ bid was forcing and was told that it was.

North insists that partner's 3♠ bid promises 15-16 points and that she should pass his 2♠ (although he agreed that a change of suit is forcing) had she just had a minimum hand. He also said that even if partner had a minimum opener for her 3♠ bid he felt that to bid 4♠ was clear-cut.

Director's ruling:

Score assigned for both sides:

3♠ +1 by North, NS +170

Details of ruling:

South's "Stop" clearly indicates that her hand is stronger than indicated by her 3♠, which could be made on a minimum opener. Pass is a logical alternative, therefore an adjustment back to 3♠ is appropriate (Law 16).

Appeal lodged by:

North-South

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

Pass is a logical alternative on minimum values.

The STOP bid suggested four spades and extra values.

David Stevenson's comments:

This does seem to be totally clear-cut. Perhaps there is some reason not shown on the form why the deposit was returned: it is difficult to see merit in this appeal.

Laurie Kelso's comments:

A clear cut unauthorised information situation. N/S were never going to win this appeal.

Herman De Wael's comments:

Was it at all clear at the table why South had mistakenly used the Stop card? If it was, then indeed South had shown something extra to North and this extra suggests bidding on. Pass is a Logical Alternative and so the Director and Appeal Committee got it right. **IF** North could interpret the Stop card as explained. Who told the table what South was thinking when pulling out the stop card?

Matthias Berghaus' comments:

So 2♠ is forcing but should be passed with a minimum. Sort of semi-forcing...

This was one of the usual self-serving flights of fantasy which both director and committee correctly refused to believe. The fee for taking the time to listen to this should have equalled the sum that was deposited.

Ron Johnson's comments:

I can't see any merit in the appeal. Indeed, if North is an experienced player I'd consider whether his actions merit some form of procedural penalty. (I think a mild reprimand is in order). He had unauthorized information and chose the action suggested by it.

Barry Rigal's comments:

Again withholding the deposit looks obvious. Many people would not think the North hand worth a 2♠ bid initially, and on this auction bidding on looks extreme – at the very least pass is a logical alternative that must be imposed in this situation where North has UI.

Richard Hills' comments:

Someone once did an analysis of the 1950s British Team's slam-bidding record. The result of the analysis was that the British Team would have gained moreimps if they had never-ever bid a slam.

Likewise, I would be interested in a comparative analysis of the frequency of UI occurring in the Stop!-using EBU, and in the never-ever Stop!-using ABF.

Roger Pewick's comments:

For a system that calls for a forcing 2♠ with the North hand, the North hand is certainly a minimum holding. As south did not bid more strongly, N does not have the values to warrant a further free bid. The illegal use of the skip bid warning by south conveys information contradictory to the call actually taken demonstrably suggesting it would be profitable for N to bid 4♠ instead of passing.

E/W brought nothing to the committee to answer the TD ruling was that 4♠ was not justified opposite a minimum opener.

Adam Wildavsky's comments:

Fine rulings by the director and the committee, but why was the deposit returned?

While we're at it, the write-up says that South thought her partner had bid 1♠, but how do we know that? Unless the director is a mind reader South must have explained her thinking, and it could be useful to know when she volunteered this information. Here the case was straightforward enough that that knowledge was not necessary.

Fearghal O'Boyle's comments:

North has UI that South is not minimum and this makes the raise to 4♠ very easy. Of course most of us would raise a minimum 3♠ to 4♠ as well.

This is a lot closer than the write-up suggests. The 4♠ call is as close to being evident as I've ever met but on the other hand I agree that Passing 3♠ is a logical alternative as defined by the WBF. The UI suggests 4♠ over Pass.

We need to consult the player's peers and I trust the TD and AC have done just that.

Final summary by editor:

This was a clear case, with little merit in the appeal, and general agreement by the commentators.

APPEAL No 13: Why a club?

Tournament Director:

Robin Barker

Appeals Committee:

Malcolm Pryor (Chairman) Malcolm Harris Steve Ray

Swiss Teams Board no 30 Dealer East None vulnerable	♠ AJ94 ♥ AQ3 ♦ 43 ♣ A763										
♠ Q8765 ♥ 72 ♦ KT762 ♣ 2	<table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td style="text-align: center; background-color: #cccccc;"></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table>		<i>N</i>		<i>W</i>		<i>E</i>		<i>S</i>		♠ 32 ♥ 9865 ♦ AQJ9 ♣ KJ4
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	<i>S</i>										
	♠ KT ♥ KJT4 ♦ 85 ♣ QT985										

WEST	NORTH	EAST	SOUTH
		P	P
P	1♣ (A)	P	1♥
Dbl (1)	Redbl	2♦	P
P	2♥	P	3♣ (A)
P	4♥	P	P
P			

(1) North asked about double and was told takeout of hearts or takeout of hearts and clubs

Result at table:

4♥ -1 by South, NS -50, lead ♣2

Director first called:

Before the start of the next board

Director's statement of facts:

East asked about the alert of 3♣ at the end of the auction. He was told he was not on lead and the meaning of 3♣ was never obtained.

South claimed he would make 4♥ on a non-club lead by drawing two rounds of trumps, which he did not do on a club lead.

Director's ruling:

Score assigned for both sides (Law 12C3):

50% of 4♥ making by South, NS +420
+ 50% of 4♥ -1 by South, NS -50

Details of ruling:

The question about 3♣ suggests club values, which suggests a club lead: on a non-club lead 4♥ might make. Law 16.

Appeal lodged by:

East-West

Basis of appeal:

South can always make 4♥.

Director's comments:

The appeal was after the end of the last match and the TD was unable to find N/S. He could not get details of their system.

Appeals Committee decision:

Table score re-instated
Deposit returned

Appeals Committee's comments:

We felt that West was always going to lead his singleton and the question was not a factor. Therefore result stands. Also South has demonstrably misplayed the hand and earned the minus score.

David Stevenson's comments:

I wonder quite what the Committee means by South misplaying the hand? Surely this does not deny him redress, unless his action is bad enough to be considered wild or gambling. Perhaps the Committee meant that he was damaged solely by his own play and not by the lead.

Laurie Kelso's comments:

East chose an inappropriate moment to ask about the 3♣ bid, however South's failure to make 4♥ was unrelated to West's choice of lead.

Herman De Wael's comments:

If there was indeed no alert, then the question is highly inappropriate and East-West ought not to have any benefit. If on the other hand 3♣ was indeed alerted, and East was under the (quite frequently occurring) misbelief that he was on lead, the question is more innocent and I would tend to follow the ruling by the Appeal Committee. I would also investigate the reasons for the absence of North-South. If they were truly not to be found, OK, but if East-West lodged a late appeal, I would not rule in their favour.

Matthias Berghaus' comments:

I don't think is as clear as the committee believes, a diamond is not out of the question. How bad was the misplay? I don't know who South was, but to duck the club or not to draw two hearts looks pretty bad. I agree with the director (club was not automatic) and tend to agree with the committee (misplay).

Ron Johnson's comments:

Did West have unauthorized information? Yes (and this is not an issue of the EBU's regulations on the asking of questions. I've been a fairly vocal critic of those regulations, but I would have no hesitation in coming to the same conclusion in an ACBL game)

Did it suggest the club lead? Yes.

Where there logical alternatives to the club lead. I think so. The committee disagrees. They heard the evidence and had the opportunity to talk to East/West. Therefore their opinion has to carry great weight.

However the point about the declarer misplay does not matter unless they felt he'd have made the same mistake on a different lead. Come to think of it though, maybe his play on this hand is sufficient to deny him redress even in the face of the infraction (assuming that one rules that the club lead is an infraction). I know I would want to talk to him before even considering an adjusted score. The ruling seems clear given that they didn't show up for the hearing.

Note by editor:

"The TD was unable to find N/S". It was hardly their fault they did not turn up for the hearing!

Barry Rigal's comments:

4♥ can be beaten – but only on a diamond lead!! The defence play three rounds of diamonds and declarer must ruff in dummy then draw two rounds of trumps – now a fourth diamond sets the hand.

So although East might have received a warning or procedural penalty, the score for 4♥-1 might well be given to both sides. And West was always going to lead his singleton. People do; and in this case with a 5-count how else are you setting the game?

Eric Landau's comments:

The committee was right to overturn, but their comments miss the mark. It is not certain that West would always start with his singleton, but his only logical alternative, a small diamond, would almost certainly have led to his switching to it at trick 3. Would that have caused South to play 4♥ differently? Presumably not. It's reasonable to assume that he'd have played the club suit as he did, because that's how he played it in real life, but whether or not the play he actually chose constituted "demonstrably misplay[ing] the hand" doesn't matter.

Richard Hills' comments:

Do, do, do the funky gibbon. The AC took a totally misconceived approach to this case.

- It should not have asked, "Would West always lead their singleton?"
- It should have asked, "Is West leading partner's diamond suit a logical alternative?"
- It should not have asked, "Did South misplay the hand?"
- It should have asked, "Was South's play irrational, wild or gambling? Are South's losing options fewer on a non-club lead?"

Roger Pewick's comments:

There is a discrepancy in the facts that 3♣ was alerted. Was the assertion of an alert a fabrication by East to justify his question? In any case, asking about 3♣ at an inappropriate time draws attention to the club suit in a defensive situation.

I concur with the TD that a club lead is [50%] likely absent UI, that the inappropriate question suggested a club over a diamond, but I do not concur there was damage:

I do not see what defense was ruled to a diamond lead. Surely E/W can successfully appeal by claiming no damage via:

Consider the defense of three rounds of diamonds, declarer ruffing in dummy. If two rounds of hearts are drawn and clubs then played then east will gain entry with the club to promote his fourth heart via one more diamond. Four tricks to the defense. It does appear that the club lead, though probably suggested by the inappropriate query, was one that gave declarer the chance to make his contract. No damage, table result stands.

Adam Wildavsky's comments:

Reasonable rulings by both the director and the committee. I can see ruling either way.

Fearghal O'Boyle's comments:

Yes, East's question does provide UI to West. However the AC thought the Club lead evident. But can you really say that leading a suit bid by your partner is not a logical alternative?

Of course if you decide that a Diamond lead is an LA and also that South's play was woefully bad maybe you can award a split score N/S (-50) and E/W (-420)?

Final summary by editor:

A mixed bag was presented here. Perhaps it is too close to call?

APPEAL No 14: What's the double?

Tournament Director:

John Pain

Appeals Committee:

David Harris (Chairman) Derek Oram Richard Probst

Multiple teams Board no 5 Dealer North NS vulnerable	♠ KQ98 ♥ AK7 ♦ 642 ♣ KQ7										
♠ AT532 ♥ 53 ♦ A975 ♣ 63	<table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table>		<i>N</i>		<i>W</i>		<i>E</i>		<i>S</i>		♠ J4 ♥ T92 ♦ Q83 ♣ AJT95
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠ 76 ♥ QJ864 ♦ KJT ♣ 842										

Basic systems:

North-South play Acol, weak NT

WEST	NORTH	EAST	SOUTH
	1♣ (1)	P	1♥
P	1NT	P	P
Dbl	P	P	P

(1) Prepared Club.

Result at table:

1NT doubled -1 by North, NS -200, lead ♣J

Director first called:

At end of hand

Director's statement of facts:

North asked about the double of 1NT. East said it showed values and may or may not have a heart suit. It turns out that West intended it as takeout – discovered at the end.

At the table North took the opening club lead. North argued that if he knew the double was for takeout rather than values he would duck the club opening.

E/W admitted they had not discussed it over a prepared club.

Director's ruling:

Table result stands

Score assigned for both sides (Law 12C3):

60% of 1NT doubled +1 by North, NS +380

+ 40% of 1NT doubled -1 by North, NS -200

Details of ruling:

The TD ruled misinformation as the E/W explanation was not sufficiently clear. However, the TD did not give North the full benefit of ducking the club. Law 40C.

Note by editor:

Multiple teams is called Round Robin teams in much of the world. This is actually from one of two eight-team finals at the end of the Swiss teams.

Appeal lodged by:

East-West

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

Whilst the Committee feel that declarer should have got it right having seen dummy, he has potentially been placed in some doubt by the explanation given by East. It is not felt that E/W have satisfied the Committee sufficiently to vary the Director's ruling.

It should be noted that if declarer ducks the first club he is likely to make nine tricks.

David Stevenson's comments:

Either side might have appealed, and perhaps North might have felt that he would be unlikely to go wrong at all if he is not misinformed. Also, as the Appeals Committee noticed, the 60% weighting should probably be for making nine tricks not eight. However, since North-South did not appeal, the Committee saw no reason to give North any more.

I wonder whether East and West really have an agreement over the double. When there is no agreement a player should say so but in practice he often tells his opponents what he thinks, and this may cause trouble.

Laurie Kelso's comments:

A weighted adjustment seems best in regard to the degree of damage caused, given that the TD has ruled "misinformation". If the committee really believed that declarer would make nine tricks after ducking the club, then surely they should have varied the adjustment to:

60% of N/S +580
+ 40% of N/S -200

Although I personally think North would find the ducking play much less than 60% of the time.

Herman De Wael's comments:

Blwaagh. A player asks a question and the answer turns out to be wrong. Then he concocts a story as to how the wrong answer made him choose one line rather than another. And the Director buys it. And then the Committee doesn't overrule, because East-West cannot produce enough reason to say the Director is definitely wrong. What use a Committee then? Furthermore, the Committee does note that the ruling is flawed (there should be a +580 there for 9 tricks) and still they don't re-examine? I don't mind the ruling as such, if that is what the Committee feel is right. But I do mind the reason they give for ruling this way. A Committee should always give the benefit of the doubt to the Director, but only if there is doubt.

Matthias Berghaus' comments:

If 9 tricks were likely, why not award them? Too generous? Maybe it didn't matter for the result, but it looks a bit lazy. Since committees tend to meet in the late evening this is somewhat understandable, though.

West surely has no heart suit, but he may well have values and a club suit, so I don't think this qualifies as a "misplay".

Ron Johnson's comments:

To me the issue is what North would have done with an accurate explanation of the East/West agreements (not discussed). How much more attractive does it make ducking the first club? Frankly I just don't see why it makes the duck any more attractive.

Yes, East/West committed an infraction but I don't see the damage to North/South. Some form of procedural penalty may well be in order to East/West – this can't be an uncommon auction.

Barry Rigal's comments:

It is not clear that there has been MI as opposed to a misbid but the TD correctly assumed that in the absence of information to the contrary MI should be assumed. How clear is ducking the first club if West has ♠+♦? Very clear I'd say. I'd simply rule 1NT doubled making two, but given the TD ruling I'd take the money and/or give E/W less than the adjusted score. That'll teach them not recognize when they are well off.

Richard Hills' comments:

As in Appeal Ten, East-West provided conflicting evidence as to what their agreement was, or whether they even had one. Therefore, the TD correctly ruled that under the footnote to L75, East had provided MI to North.

- The MI suggests that West is likely to hold the ♣A, therefore making the winning of the first trick attractive to North.
- A correct explanation that West has made a balancing takeout double suggests that East is likely to hold the ♣A, therefore making the duck of the first trick attractive to North.
- Consequently, the TD was correct to adjust the score. So far, so good.

But I cannot fathom the TD's decision to modify L12C2 with L12C3. In my opinion, this gives East-West an unearned bonus for their muddled explanation, when North's clearly indicated play after appropriate explanation results in +380.

In my opinion, I believe that a frequent AC error of 20-20 hindsight was exemplified in this AC's comment that "declarer should have got it right". I would rather argue that if declarer **might** "have got it right" after a misexplanation, then declarer **would certainly** "have got it right" after a correct explanation.

Therefore, in my opinion, a more thorough analysis by the AC would have caused the East-West appellants to be surprised by their score getting worse.

Roger Pewick's comments:

For a double in balancing position what is the difference between a double that shows values, and a takeout double? In my opinion if there is a difference it is not material. I do not concur with the TD that there was MI, or if there was it was not material in any way. After all, the N/S system suggests they have the balance of power so what can 'values' suggest and what might they be when East passes for penalty?

Certainly, whether West intended 'takeout' or some other label, the double needs to mean for East to do something intelligent. I judge that the explanation was immaterial to the outcome of the hand. The table score was the result of declarer hoping that West had the club ace [when the bidding and play of East suggested strongly that East was likely to have it] - table result should stand.

Con Holzscherer's comments:

It is strange that the AC upheld the TD decision while noting that on a club duck declarer will make 9 tricks.

It is not relevant for the decision, but even after taking the club jack, declarer should make 1 NT.

Adam Wildavsky's comments:

First, if the committee thought nine tricks likely after a duck of the club weren't they required to modify the adjusted score assigned by the director? Second, I believe a better application of Law 12C3 would be to assign the offenders the most unfavorable result that was at all likely, as in 12C2. This would serve as a stiff reminder not to attempt to describe agreements they do not in fact have. I have no quarrel with the weighted ruling so long as it is assigned only to the non-offenders.

Fearghal O'Boyle's comments:

I didn't like it at first but ok you've convinced me. This was a good ruling. But lets factor in 9 tricks to the Law 12C3 calculation.

Final summary by editor:

Similar to case four some of the commentators do not seem to want ACs to follow the dictates of the EBU approach. It must be realised that this can only be a recommendation to the EBU and not a criticism of the AC.

Players in England have been found to like the application of Law 12C3. When a player is misinformed and he might or might not get a particular score if informed correctly then

- 1 A weighted score under Law 12C3 is correct, and
- 2 The same weighted score is given to both sides.

It is normal to use "sympathetic weighting", ie the weighting should be biased slightly in favour of the non-offenders.

APPEAL No 15: OK, I suppose I had better double

Tournament Director:

Ian Spoons

Appeals Committee:

Tim Rees (Chairman) Mike Scoltock Chris Jagger

Multiple teams Board no 3 Dealer South EW vulnerable	♠ T862 ♥ QJT76 ♦ KJ8 ♣ T										
♠ AKQ75 ♥ A9 ♦ 754 ♣ KQ3	<table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td style="background-color: #cccccc;"></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table>		<i>N</i>		<i>W</i>		<i>E</i>		<i>S</i>		♠ J93 ♥ 8542 ♦ T3 ♣ AJ52
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<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠ 4 ♥ K3 ♦ AQ962 ♣ 98764										

Basic systems:

North-South play 2 over 1 game force, better minor

East-West play Acol

WEST	NORTH	EAST	SOUTH
			1♦ (1)
Dbl	1♥	2♣	P
2♠	3♦	3♠	P
4♠	Dbl (2)	P	5♦
P	P	Dbl	P
P	P		

(1) May be a three card suit

(2) After thought: agreed

Result at table:

5♦ doubled -1 by South, NS -100, lead ♠Q

Director first called:

At end of hand

Director's statement of facts:

South called to say "I bid 5♦ in a dubious situation". He explained that North cannot have hearts plus a 'spade stack' or would have redoubled rather than bid 1♥ and that his defensive prospects had diminished after the diamond support, made with the possibility of South having only three diamonds and that he had no defensive values in the opponents' suits.

Director's ruling:

Table result stands

Details of ruling:

North's failure to redouble marks him with a limited hand: East has made a free bid and West bid game voluntarily: North will generally have at least four diamonds. Pass risks losing a lot and bidding risks losing a little. All of this is authorised and will suggest to most players that bidding 5♦ is a good idea and pass is not an LA. Law 73C.

Note by editor:

Multiple teams is called Round Robin teams in much of the world. This is actually from one of two eight-team finals at the end of the Swiss teams.

Appeal lodged by:

East-West

Comments by East-West:

We think the facts are known.

Appeals Committee decision:

Score assigned for both sides:

4♠ doubled making by West, NS -790

Deposit returned

Appeals Committee's comments:

North has limited his hand, then doubled 4♠. This suggests that he is doubling on trump tricks. (A quicker auction followed by double may be more likely to be transferable values.)

If North has Jxxx or KQx in spades (or similar), 4♠ will be off and 5♦ doubled will not be cheap. The slow double has suggested this is not the case, so we feel that pass is a logical alternative that has been suggested by the slow double.

David Stevenson's comments:

This hand led to a lot of argument since some players think pulling is automatic – and some feel South has shown his hand. There seems no easy answer.

Laurie Kelso's comments:

Both the Director's original decision and the appeals committee's adjustment are well enough reasoned. The difference stems solely from how one evaluates the defensive potential of the South hand. Is Pass a logical alternative action? I would vote "No", but the committee judged otherwise.

Matthias Berghaus' comments:

AQ10 Jxxxx xxxx x. Faster double, I hear you say? Yes. The committee got it right.

Ron Johnson's comments:

Good ruling by the committee.

Barry Rigal's comments:

Ridiculous TD ruling – this hand could go down as a textbook example of when a hesitation double cannot be removed. Yes South has opened a weak hand but he can't go round the place taking UI from his partner's tempo like this. Well done the AC and "a la lanterne!" with the TD.

Eric Landau's comments:

This is a straightforward "bridge judgment" on which the director and the committee disagreed. The committee got it right.

Richard Hills' comments:

Hook, line and sinker! I cannot fathom the TD's gullibility in swallowing South's bait.

There may be an exception to the rule, "Passing a high-level penalty double is always a logical alternative," but I have yet to meet such a fabulous beast.

Roger Pewick's comments:

North's 3♦ call suggests a pretty good hand so the double is penalty isn't it? Can South visualize four defensive tricks opposite the North bidding? Yes, pass is clearly a LA and the slow double demonstrably suggested the South cards take it out over pass. Adjust to 4♠ X making 4.

South's assertion that North's bidding cannot be based on a hand such as KT9x-AJxx-JTxx-x does not sound reasonable.

Con Holzschere's comments:

I have a preference for the TD's judgement above the AC's.

Even if North has e.g. KQx Jxxxx Kxxx x, 4 spades will probably make (give East an average hand like Jxx xxxx x AQ10xx and 4 spades is cold), so I do not consider pass with the South hand a logical alternative.

Adam Wildavsky's comments:

An excellent decision by the committee. This was not well judged by the director, who ought to have consulted with several players before making a ruling like this.

Fearghal O'Boyle's comments:

It looks like the AC got it right up until the last sentence but I presume this was a typo.

5♦ is suggested over Pass by the slow double and so is not allowed. South needs Law 73C explained to him.

Final summary by editor:

Fairly close, as the differences amongst the commentators indicate. There is a small majority in favour of the Committee's decision.

I think those who believe the TD was totally misguided are overbidding their hand!

APPEAL No 16: Was it in time?

Tournament Director:

John Pain

Appeals Committee:

Keith Stanley (Chairman) Heather Dhondy Tony Priday

Form of scoring:

K/O teams. A triple was played, ie three teams played each other.

Director first called:

About 45 minutes after end of match

Director's statement of facts:

In the first round triple Zmudzinski/Leslie/Taylor it was agreed that Taylor lost to both. It was thought that Leslie had beaten Zmudzinski by 1 imp. Because of hotel problems the Polish Team had to change hotels for 1 night. They did this at the conclusion of the match at c3.15 pm. The TD drove them to the new hotel and they walked back. On their return at c3.55 pm they reported that the match was in fact drawn. This was agreed.

Director's ruling:

Match tied: four extra boards to be played.

Details of ruling:

In ruling whether this was out of time the TD did not count the time it took to make the hotel change. The TD ruled, therefore, that the appeal to change the score was therefore in time. Laws 81B2, 81C6, 93B1.

Note by editor:

Under EBU regulations the correction period at the end of a Spring Foursomes threesome ends 30 minutes after scores are agreed and handed to the scorer.

Appeal lodged by:

Leslie team

Basis of appeal:

It was out of time to make a score change of this type, and the TD was wrong to not include the change-over time.

Appeals Committee decision:

Director's ruling upheld
Deposit returned

Appeals Committee's comments:

Very difficult.

David Stevenson's comments:

It is not surprising that this went to appeal with top teams in a top knockout event. However, it does seem that it should be the Director-in-Charge's decision rather than a Committee's.

When there is a regulation in place has the Director-in-Charge any flexibility? Common sense says yes, since there are always exceptional occurrences: for example, if a player is taken ill, are people involved going to be held to a strict thirty minutes? I think not.

Laurie Kelso's comments:

A cursory reading of the write-up seems to support the contention that the score correction was indeed "out of time". Was the Appeals Committee the appropriate body to hear this appeal - surely this is a "Sponsoring Organisation" issue? Was there a "Tournament" Committee or a "Rules and Regulations" Committee empowered to make such decisions?

Requests for score corrections outside the time period are always unfortunate. However there is no point in having a regulation unless it is adhered to. I don't believe the Director had the authority to modify the initially agreed result. What was the legal justification which enabled him to discount the "time taken to change hotels"?

The Appeals Committee's comments are understandably brief. They were placed in an impossible position. It is certainly not their role to interpret either Law or Regulation (or to overturn the TD on his application of such).

Herman De Wael's comments:

Common sense prevails over legalistic mumbo-jumbo.

One must be more lenient to foreign guests who have done nothing wrong.

Matthias Berghaus' comments:

Very difficult indeed. And it's not getting easier by not being there. Could the score have been agreed before the transport? Was it necessary to make the switch at this time? I can imagine circumstances in which I would consider this appeal justified, and others where I would not. The director came to a conclusion, the committee agreed (after some consideration, I gather). That's enough for me. This could well be the first case where the committee upheld the director's decision and I didn't consider keeping the money for even a moment.

Ron Johnson's comments:

This one looks like a triumph of equity over the literal reading of the rules. I'm glad that they came up with this ruling but would not have complained had either the director or committee ruled, "Too late, too bad."

Barry Rigal's comments:

No opinion – this is too arcane a question of law for us proles to comment.

Eric Landau's comments:

This one isn't difficult at all. Who screwed up the Poles' hotel arrangements, the Poles themselves or the tournament hosts/organizers? If the Poles "inflicted the damage" on themselves, they lose. If the host organization contributed to the snafu, they get their draw.

Richard Hills' comments:

The constitution of one of the states of the USA requires particular budgetary legislation to be passed by a particular date. If the cutoff is approaching, but the budget is still being negotiated, the problem is solved by stopping the legislature's official clock.

However, the American legislature's clock-stopping is a traditional convention, supported by both political parties.

On the other hand, the timeout action taken by the TD was a unilateral and ex post facto rewriting of the conditions of contest. That the TD had the best of motives was irrelevant. The TD should instead have considered the famous precedent from a World Championship, which suggested the opposite ruling.

Roger Pewick's comments:

The first two issues are

- [a] what was the elapsed time from the time the correction period began and
 - [b] what was the length of the correction period.
-
- [a] It was undisputed that the incorrect result was reported at approximately 3:10 and the request to correct was lodged at 3:55, a period of 45 minutes. However, it was ruled that almost all of that time did not count such that the relevant time was well less than 30 minutes.
 - [b] The conditions of contest clearly state that the correction period begins when the agreed result is turned in and lasts 30 minutes. Was the length of the applicable correction period 30 minutes, or something else? The conditions of contest provide that the Director-in-Charge may adjust the provisions of the conditions of contest to deal with unforeseen circumstances. This was not done here, so clearly the correction period was 30 minutes from turning in the result.

The grounds for the appeal are therefore valid and the original result should be reinstated.

What is interesting are the other issues.

- [c] the White Book 92.6 clarifies that a new correction period begins for the affected contestants when a change in posting occurs. Should the AC consider the possibility of a subsequent appeal? I do not think it is in their purview.
- [d] should the AC suggest that there might be a request to the Director-in-Charge to amend the conditions of contest for this instance? Other than making it clear that the AC considered that the correction period had not been amended by the Director-in-Charge, I do not think that it is in their purview.
- [e] if there is a request within the new correction period to the Director-in-Charge to amend the conditions of contest on the grounds of unforeseen matters (eg. of personal health and safety associated with having accommodations), should the request be granted and the outcome of the tie breaker reinstated? Firstly, is not the length of time of the correction period one of convenience of the event and is a matter for the sponsoring organisation.

Given that

- [1] the original score was proven incorrect and
- [2] the proposed score was proven correct and
- [3] the request was expeditious and in close proximity of the original time of expiration and
- [4] the reason for the delay was adequate

I think that the request has merit but ultimately that judgement belongs to the tournament committee.

Adam Wildavsky's comments:

This was primarily a matter for the director's judgment. It would be unusual for a committee to overrule him here.

Fearghal O'Boyle's comments:

Friendship in Sport? Nobody likes this type of appeal.

Final summary by editor:

Very unfortunate. Overall the commentators seem to agree with the ruling, and that it should be left to the Director-in-Charge. Probably an over-riding regulation giving him additional powers for cause would be a good idea.

APPEAL No 17: I am not balanced!

Tournament Director:

John Pyner

Appeals Committee:

Liz McGowan (Chairman) Rob Helle David Bakshi

K/O teams Board no 14 Dealer East Nil vulnerable	♠ J ♥ AJT86 ♦ A8 ♣ AJ964										
♠ AQ94 ♥ Q753 ♦ Q52 ♣ QT	<table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table>		<i>N</i>		<i>W</i>		<i>E</i>		<i>S</i>		♠ T7652 ♥ 9 ♦ K7643 ♣ 82
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<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠ K82 ♥ K42 ♦ JT9 ♣ K732										

Basic systems:

North-South play Acol

East-West play Acol

WEST	NORTH	EAST	SOUTH
		P	P
1NT	Dbl	2♠	Dbl(H)
P	3♣	P	3NT
P	P	P	

Result at table:

3NT +2 by South, NS +460

Director first called:

When dummy appeared

Director's statement of facts:

TD called originally by North (dummy) who had left table to find a TD, none being in the room at that moment. TD established facts of auction and directed play to continue. TD re-called by West at end of play, East-West being unhappy about 3♣ bid. TD asked North why he removed the double: he replied that he was off-shape for the double and therefore it was clear to him to pull the double.

North-South agreement is that double in this situation is penalties.

Director's ruling:

Score assigned for both sides:

2♠ doubled +1 by East, NS -570

Details of ruling:

North has unauthorised information. Pass is a clear logical alternative (give South for example K10xx of spades and 8-9 HCP). Contract restored to 2♠, making 9 tricks on any lead. Laws 16, 73, 12C2.

Appeal lodged by:

North-South

Basis of appeal:

Having made a slightly unusual double, North now thinks it clear not to defend.

Appeals Committee decision:

Score assigned for both sides:

2♠ doubled making by East, NS -470

Deposit returned

Appeals Committee's comments:

Score adjusted to -470 (we think 8 tricks far more likely than 9).

We sympathise with the removal of the double but do not believe it was a 70% action. After hesitating South should not double.

Note by editor:

In England and Wales the advice is to treat a logical alternative as one that 30% of a player's peers might find playing a similar style and system. Thus, if an action would be found by 70% or more of a player's peers then it is evident, ie there is no logical alternative to it.

David Stevenson's comments:

Looks simple enough. If North had considered Law 73C which says he should make efforts not to take advantage of unauthorised information then he would have surely passed.

Laurie Kelso's comments:

Yes, Pass does seem to be a logical alternative for North. The committee was right; N/S - 570 is a very unlikely result. On a bad day (with East guessing everything wrong) the contract might even fail!

Herman De Wael's comments:

Contrast with appeal 14. Here the Committee does review the case, comes to the conclusion that the Director gave the right ruling **AND** changed the adjustment to better fit what they thought would happen. This is how appeals must be done. Siding with the Director is a good thing, but only in cases of doubt.

Matthias Berghaus' comments:

Lots of hands where it is right to pass the double. It is not a 70% action to pull. Why not 5 spades in South, for example? Clear decision to adjust, even if I have some sympathy for North, too. But since he shot himself in one foot by doubling with this hand and South shot him in the other by hesitating, sympathy will be all he gets. How many tricks? I believe 9 tricks to be quite likely, but maybe something like 25% of -470 and 75% of -570 (or thereabouts) is okay.

Ron Johnson's comments:

I agree that the final contract should be 2♠ doubled. I doubt whether there's any real difference in the number of imps between -470 and -570, but I'd suggest that this is a candidate for a weighted score. I'd expect -570 around 30% of the time. Maybe more.

Barry Rigal's comments:

Totally ridiculous comment by the AC – of course South can think and double – that is not an offense. What may be an offense is for North to remove a slow double. Putting comments like that in print are a disservice to the game.

That said; North has a difficult bid, passing is a logical alternative, and thus the AC decision is right. Some people might consider this close to a deposit withholding too – I have slightly more sympathy with North here than in some of the other cases.

Eric Landau's comments:

Although eight tricks is far more likely than nine, nine is possible, and should have been taken into account if only to give the "benefit of the doubt" to the non-offending side. For that matter, seven is also possible, if N-S defend to best advantage and declarer misguesses diamonds playing East to have an ace for his double. I'd have used Law 12C3 here, for something like 10% of 2♠X-1 +50 + 80% of 2♠X= -470 +10% of 2♠+1 -570, but expect it would have made little difference.

Richard Hills' comments:

Both the TD and the AC seem to be at fault here for failing to apply Law 12C3. My vote would be -470 60% and -570 40%.

Roger Pewick's comments:

I found this case to be interesting since I sit for more low level penalty doubles than anyone I've met and if given this problem without UI I would have bid (a dangerous) 3♣ because of

- [a] the foolish nature of the double versus what I ought to have had to double
- [b] the shape and
- [c] south needs as little as a balanced two kings and a jack to double for penalties [no, I would not have put myself in the position in the first place by doubling with this hand].

When I polled players (some of them who were inveterate pullers of penalty doubles) for the options they would consider and take [after explaining what the calls {1} meant] the only option mentioned was sitting [most expressed discomfort with the original double]. Yes, I would like to know more about the NS system, south's normal tempo, and the tempo of the hesitation but the poll suggests that the only impetus for bidding on was the break in tempo and thus 3♣ was an infraction. I concur with the AC on the revised adjustment.

{1} The facts did not specifically enumerate the agreements of the players except for the Acol system. I have not yet been able to find this specific sequence published. So far, feedback subsequent the bidding poll [[Acol System Help Please](#) thread on rec.games.bridge] about the auction [no hands] indicates that systemically 2♠X can/would be pulled by the north holding.

Adam Wildavsky's comments:

Good decisions all around. Both the director and the committee, though, ought to have followed law 12C2 and considered assigning separate scores to each side.

As for the editor's note, while I know it is EBU policy it seems nonsensical to me. "Thus, if an action would be found by 70% or more of a players' peers then it is evident, ie there is no logical alternative to it." Does that mean those hypothetical 30% would have chosen an illogical alternative? I suggest that this standard should be changed. It does not make sense, and does not provide players with sufficient incentive to bend over backwards to avoid taking advantage of unauthorized information, as the laws require.

Fearghal O'Boyle's comments:

Absolutely correct to adjust back to 2♠X. I don't see much wrong with awarding 9 tricks to East but the AC know East's standard better than me.

I would vote to retain the deposit and would like to have a word in North's ear.

Final summary by editor:

It seems clear enough. Note there is less pressure on TDs and ACs to use Law 12C3 in k/o teams, where overtricks count for little – yes, even doubled overtricks when the side with fewer points has been doubled into game.

APPEAL No 18: Was it Blackwood?

Tournament Director:

David Stevenson

Appeals Committee:

Heather Dhondy (Chairman) Jeff Smith Garry Watson

K/O teams Board no 13 Dealer North All vulnerable	♠ T9 ♥ Q8764 ♦ K ♣ A6542										
♠ AQ743 ♥ 953 ♦ T5 ♣ KT7	<table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table>		<i>N</i>		<i>W</i>		<i>E</i>		<i>S</i>		♠ KJ865 ♥ T ♦ Q72 ♣ QJ98
	<i>N</i>										
<i>W</i>		<i>E</i>									
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	♠ 2 ♥ AKJ2 ♦ AJ98643 ♣ 3										

Basic systems:

North-South play Strong Club

East-West play Natural

WEST	NORTH	EAST	SOUTH
	2NT(A)(1)	P	4NT(A)(2)
P	5♣(A)	P	5♥
P	6♥	P	P
P			

(1) ♥ + minor

(2) Intended as Blackwood: taken as asking for minor

Result at table:

6♥ making by South, NS +1430, lead ♠ A

Director first called:

At end of auction

Director's statement of facts:

North took 4NT as asking for minor, however 5♣ was alerted and East bid 5♥.

Director's ruling:

Score assigned for both sides:

5♥ +1 by South, NS +680

Details of ruling:

The alert of 5♣ tells North that 4NT was not for minors and makes it easier for North to recognise 4NT as Blackwood: then it is easy to bid 6♥ with an unshown ace. Thus 6♥ disallowed. Law 16A.

Appeal lodged by:

North-South

Basis of appeal:

6♥ is routine in situation.

Director's comments:

Two good players were consulted as well as another director.

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

We felt that the alert of 5♣ had made it easier for North to bid 6♥. Partner could have been looking for slam in diamonds or hearts opposite a hand with both reds but not opposite clubs, therefore pass is a logical alternative.

David Stevenson's comments:

While this is the sort of decision that leads to ferocious argument [and much name-calling!] in fact it is just a close decision.

Is the argument "Partner could have been looking for slam in diamonds or hearts opposite a hand with both reds but not opposite clubs" valid? At the time some people thought so, but others thought it a terrible decision.

Suppose that this was played behind screens, and the tray came back in even tempo with 5♥ on it. Do you think that South would routinely bid 6♥?

Laurie Kelso's comments:

Another standard unauthorised information situation. The alert suggests a misunderstanding and Pass is certainly a logical alternative. I presume N/S were inexperienced - otherwise their deposit might not have been returned.

Herman De Wael's comments:

The easiest of the lot. North needs a lesson in basic dealing with unauthorized information. It pains me to see that he did not get that lesson in the best possible way: by keeping his money.

What reason did North give for bidding 6♥?

Matthias Berghaus' comments:

Why 6♥ should be routine here is beyond me. Even if 4NT were Blackwood (how do you ever play 5 of a minor, then?), why can't South be looking for ♥K and an ace? All pretty irrelevant in the end, there is unauthorized information, there is a logical alternative, case closed. This is easy. So should be keeping the money.

Ron Johnson's comments:

A good ruling and well explained. I consider the appeal without merit.

Barry Rigal's comments:

North knows from AI that his partner was interested in slam in hearts. In the context of a weak two-suited opening bid he seems to me to have a reasonable raise to slam – partner cannot possibly want to play 5♣ or 4♥ – if so he'd ask with 2NT or their forcing relay. So he can use AI to bid slam here.

Richard Hills' comments:

There was demonstrable sagacity in the AC's comments. There was demonstrable non-sagacity in the AC's return of the deposit.

Roger Pewick's comments:

The alert of 5♣ provides a road map to the intended use of 4NT, even if it was undiscussed. Clearly it is UI that suggests bidding 6♥, but does it demonstrably suggest 6♥ over pass? As discussed below, I do not necessarily believe so:

Whether 4NT is ace asking or which minor, what sense is there to going past 4♥ to bid 5♥ unless responder is willing to declare 5♥ opposite an aceless hand (ostensibly for the purpose of suggesting slam interest)? If only AI were present that inference would be clear. While there are players who believe that 5♣ is natural would pass 5♥, given the controls of opener's hand it would approach irrationality to do so - but only if a similar reasoning has occurred to opener.

The basis of the appeal was that 6♥ is routine in this situation. Well, it is routine with this UI present. Merely saying that it is routine does not convince (especially after time has elapsed) that it was clear to him solely by AI and here west did not convince it occurred to him. Adjust to 5♥+1

Adam Wildavsky's comments:

Good decisions, but why was the deposit returned?

Fearghal O'Boyle's comments:

Routine TD ruling. North has used UI to bid a making slam.

EBU Laws & Ethics Committee comments:

Law 73C provides that a player in receipt of unauthorised information must carefully avoid taking any advantage that might accrue to his side. On the hand in question, the 5♥ bid, which is authorised information to N, tells him that his own interpretation of the 4NT bid was wrong. The alert of 5♣ helps him identify that South's intention was to ask for Aces. It is incumbent on N to give careful consideration to any other possible reason that South might have had for adopting this sequence. If he fails to do so, a procedural penalty may be appropriate, whether or not the score is also adjusted.

The Director and Appeals Committee must assess the logical alternatives open to North in the light of the authorised information provided by the 5♥ bid. Although they did not appear from the comments on the appeals form to have done so on this occasion, it was open to them to conclude that there were no logical alternatives, and therefore to allow the 6♥ bid.

Given North's hand, it is difficult to construct a hand for South which fits the Committee's hypothesis that South was looking to play slam (in one red suit or the other) opposite a hand with ♥s and ♦s, but only 5♥ opposite ♥s and ♣s. If a Committee bases its decision on an alternative hypothesis as to the meaning of an auction, in contrast to the meaning suggested by the unauthorised information, it is helpful if it tests that hypothesis by endeavouring to construct hands which fit the hypothesis, and records the result.

Final summary by editor:

I still think it close, and I was the TD! Some commentators think it less close and see no merit in the appeal.

FINAL COMMENTS

David Stevenson's comments:

I thought the TDs did quite well, and the ACs should have kept more deposits. The same applied last year so perhaps the message is not getting through.

There are many examples of the right way to give weighted rulings under Law 12C3 [and perhaps one or two examples of the wrong way].

Many of the details recorded were sparse. Unlike some other authorities who publish cases the EBU do not have scribes. Perhaps they should consider them, or find some other way of making sure more information is recorded.

Matthias Berghaus' comments:

Only 18 appeals in an event of this size looks like excellent work by the directors. The committees did well on most cases, but No.10 was wholly unspeakable. Like last year the committees were quite generous with the appellants money, which should have been forfeited in a couple of cases. Maybe the members were glad to be called upon only rarely....

Ron Johnson's comments:

One general comment. I don't have the precise phrasing handy, but I seem to recall that committees were instructed to weight scores in a manner sympathetic to the non-offending sides. That's not what I see here.

Barry Rigal's comments:

Not a particularly impressive performance in places by either the AC or TD's but overall acceptable I suppose. Two terrible TD rulings (9 and 15) but the rest average out well.

The AC are more consistent but less impressive overall. I think some effort might be made to develop a task-force as in the US; my impression of the decisions is that the AC were generally not experts in the laws or procedures. And the illegal ruling in case 10 is surprising.

There is one other major area I think could be improved on – and that is taking the money from frivolous appeals. If this is typical, it appears people have license to appeal at the drop of a hat, and in my estimation there are 5 cases where I would have withheld the deposit and that was not done. More worryingly, there are some cases where the decision seemed equally clear-cut where the side without a case won at the first or second hearing.

Eric Landau's comments:

I am on somewhat unfamiliar territory in reviewing these appeals, as this is my first exposure in detail to appeals in a jurisdiction which has elected to allow the use of Law 12C3.

I found the quality of these committee decisions to be far higher overall than what I'm used to from reviewing appeals in the ACBL. The EBU is clearly doing something a lot better than we do on the other side of Atlantic, either in selecting or in training their pool of appeals committee members.

Richard Hills' comments:

Overall, I believe that the TDs and ACs provided sound rulings. Out of 18 appeals, there were only:

- 3 unfathomable TD rulings,
- 3 funky gibbon ACs, and
- 1 man who wasn't there.

I do not know if the EBU L&EC has issued guidance to its ACs on when it is appropriate to retain the deposit. If not, seems to me that some ACs were too lenient in their return of the deposit.

Note: I strongly believe that monetary deposits are inequitable. If the EBU has not yet done so, I recommend that deposits be changed to an appropriately significant number of imps/victory points/matchpoints.

Con Holzscherer's comments:

In a few cases the AC decision was worse than the TD decision, but in about half of the cases the AC improved the TD decision, so on average there was an improvement.

I saw no cases where the deposit was not returned. This is amazing, because there were a lot of cases where the TD made a correct decision that was upheld routinely. This is typically a situation not to return the deposit. A very clear example is case 6.

Adam Wildavsky's comments:

With the calls in the ACBL to eliminate appeals committees, I have been studying the effect of AC's. My methodology is different than most. I have tried to measure whether AC's contribute to the goal of minimizing the number of unjust rulings. To that end, I do not consider cases where the AC's decision was substantially the same as the director's, nor do I consider cases that I judge "too close to call".

Applying my standards to these cases, I found nine with no substantial difference in the director and AC decisions: 1, 4, 6, 11, 12, 14, 16, 17, and 18. I thought three were too close to call: 2, 8, and 13. I could see reasonably ruling either way on these three. This leaves six cases. In three I thought the committee improved the director's ruling: 7, 9, and 15. In the remaining three I believe the committee worsened the director's ruling: 3, 5, and 10.

This is a disturbing finding. If my judgment is close to correct then EBU committees are doing as much harm as good. The solution to this problem is not to eliminate AC's but to improve their decisions. I have two suggestions to that end.

The first is the continuation of these casebooks – one cannot improve what one cannot measure. While the ACBL still has considerable room for improvement, I believe the ACBL casebooks are primarily responsible for the marked improvement in ACBL AC rulings over the past ten years.

Second, I think every committee must be explicit regarding the law or law which they are applying. It's amazing how much this can achieve. This is also an effective tool for directors, and ought to be a requirement in all jurisdictions.

Fearghal O'Boyle's comments:

The EBU seem to return a lot of deposits during the Summer!

There were a lot of judgement decisions highlighting the need for good players on Appeals Committees.

Final summary by editor:

The commentators felt that too many deposits were returned. Overall they seemed to feel that TDs and ACs had done pretty well apart from this.