



2007

APPEALS

Edited by David Stevenson

ENGLISH BRIDGE UNION

2007

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All the appeals from the EBU's major weekend events have been included herein. 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 earlier editions it was decided to repeat this publication, expanded to include the extra events as in 2006. 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, John Pain. 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 thanks are due to Peter Eidt of Germany and Jeffrey Allerton of England for doing the proof-reading.

ENGLISH BRIDGE UNION

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APPEALS

Contacts

John Pain
Secretary Laws and Ethics Committee
English Bridge Union
Broadfields
Bicester Road
AYLESBURY
Bucks HP19 8AZ
England UK

Tel:	01296 317208	From outside UK replace 0 with +44
Fax:	01296 317220	
Email:	john@ebu.co.uk	
EBU web site:	http://www.ebu.co.uk	
L&EC page:	http://www.ebu.co.uk/lawsandethics/	

David Stevenson
Editor Appeals booklet
63 Slingsby Drive
WIRRAL CH49 0TY
England UK

Tel:	0151 677 7412	From outside UK replace 0 with +44
Fax:	0870 055 7697	
Mobile:	07778 409955	
Email:	mcba@blakjak.org	From UK
Email:	bridg@blakjak.org	From elsewhere
Lawspage:	http://blakjak.org/lws_menu.htm	
Bridgepage:	http://blakjak.org/brg_menu.htm	
Rulings forum:	http://blakjak.org/iblf.htm	
Appeals forum:	http://blakjak.org/iacf.htm	

ENGLISH BRIDGE UNION

2007

APPEALS

Commentators

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

David Stevenson (b. 1947), 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, Scotland, Ireland, South Africa and Sweden. He is a member of the Laws & Ethics Committees in England and Wales. He was formerly the Secretary of the European Bridge League Tournament Directors' Committee, a commentator in the ACBL appeals books and Chief Tournament Director of the WBU. He hosts forums for Bridge Rulings and Appeals Committees.

Alain Gottcheiner is a Belgian, occasional TD, has had some successes in national championships, has written about conventions and systems and is known as a "systems freak". His main appointments as an AC member are as an expert about strange conventions. His other fields of interest include mathematical anthropology, the sociology of games and 'dolichotrichotomy'.

He has a general tendency towards severity to UI and MI, but dislikes lawyering attitudes more than anything else.

Barry Rigal (b. 1958) lives in Manhattan with his wife Sue Picus. He was chairman of National Appeals for the ACBL for three years and is a full time bridge player, writer and commentator. His tournament record includes most of the major UK National titles and two US National titles.

Bob Schwartz (b. 1945) is a computer consultant. Member of the ACBL Board of Governors, ACBL National Appeals Committee and the ACBL Competition and Conventions Committee. Married (over 30 years) with 3 children. Likes golf and poker – tolerates bridge.

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.

Frances Hinden and **Jeffrey Allerton** are tournament players from Surrey, England. Recent successes include winning the 4* teams at Brighton, while Jeffrey is a past European and World junior champion. They both used to direct club and county competitions, and are members of the EBU panel of referees.

Heather Dhondy (b. 1966) is a part-time accountant and part-time bridge professional living in North London with husband Jeremy Dhondy (vice-chairman of the EBU Laws and Ethics Committee). She has been a national appeals chairman for a number of years and is on the EBU panel of referees as well as being a member of the EBU Selection Committee. She is also a regular member of the English ladies' team.

Jens Brix Christiansen (b. 1951) lives in Copenhagen, Denmark. He was trained as an international TD in the 1990s and has been chairman of the National Appeals Committee and Laws Commission for the Danish Bridge Federation since 1998. He headed the effort to translate 2007 edition of the Laws into Danish.

Paul Lamford is a Grandmaster and winner of a few national events. He is author of Starting Out in Bridge and 50 Bridge Puzzles and a regular contributor to Bridgetalk and the Bridge Laws Mailing List. He is a former Executive Editor of Bridge magazine and Macmillan bridge books.

Nakatani Tadayoshi (b.1945) of Yokohama is now Secretary of the Japan Pair Go Association (Go is a traditional board game played by black and white stones originated in China). Before taking the present office, he served Japan Contract Bridge League over 30 years as an administrator as well as Chief Tournament Director. He organized various international bridge events held in Japan including the NEC Cup, 1998 PABF (Zone 6) Championships in Kobe. He also served PABF as Secretary for some 20 years. Undoubtedly his major contributions to the Japanese bridge community were the Japanese versions of 1987, 1997 and 2007 Laws of Duplicate Contract Bridge, along with the Japanese version of "Commentary" on 1987 Laws by Endicott and Hansen.

As a bridge player, he won a dozen Japanese national titles and represented Japan in PABF and WBF Championships.

Richard Grenside (b. 1938) was born in Harpenden, Herts. He learned to play Bridge when he was 7, his parents played. He played extensively in the UK during the 1960s. His only claim to fame was winning the Faber Cup (Rubber Bridge Event).

On emigrating to Australia in 1971, he took the job of Manager & Chief Tournament Director [CTD] of the Victorian Bridge Association in Melbourne. He moved to Sydney in 1975 as same position to the New South Wales Bridge Association. He is the Honorary Secretary of the Australian Bridge Federation.

He has been CTD of the Australian Bridge Federation for over 20 years, CTD of the Far East Bridge Federation, now PABF, during the 80's and early 90's. He has now retired from directing nationally.

He has directed at every World Championships since Miami 1986 except Estoril in 2005. He has been CTD of WBF Youth championships, NEC Cup, Yeh Bros Cup, Commonwealth Nations Cup.

Richard Hills is primus inter pares of the Bridge Laws Mailing List:

<http://www.amsterdamned.org/pipermail/blml/>

Richard's administrative successes include his current role as Minutes Secretary of the DIAC Social Club (and co-chair of its Film Festival sub-committee), plus his just-completed role as amicus curiae to Grattan Endicott. Richard's past competitive successes include winning five Australian Youth Bridge Championships, plus being Chess Champion of both Tasmania and Canberra, and also winning his school's Spaghetti Eating Championship.

Robin Barker (b. 1961) is a research software engineer at the National Physical Laboratory, near London, and is a TD for the EBU and the European Bridge League. After studying mathematics at Cambridge, he spent a few years in the professional theatre, before getting a proper job. He now lives with his family in Exeter.

Tim Rees has been playing bridge since school, and has won most of the English and Welsh national titles at some stage. The 2008 Schapiro Spring Foursomes completed his set of major titles, the Gold Cup and Crockfords being the others. He has represented Wales at every European, Olympiad and Commonwealth Games since devolution from Great Britain in 2000, with his greatest success being a silver medal at the 2002 Commonwealth Games. Tim works at the Transport Research Laboratory, analysing (and hopefully solving) motorway congestion.

ENGLISH BRIDGE UNION

2007

APPEALS

Abbreviations

There are some abbreviations, and they are listed here:

EBU	English Bridge Union
WBU	Welsh Bridge Union
ACBL	American Contract Bridge League
L&E	Laws & Ethics Committee
L&EC	Laws & Ethics Committee
WB	EBU White Book, containing regulations for TDs and ACs
OB	EBU Orange Book, containing regulations for players
WBF	World Bridge Federation
TD	Tournament Director
Director	Tournament Director
AC	Appeals Committee
Committee	Appeals Committee
LA	Logical alternative
AI	Authorised information
MI	Misinformation
UI	Unauthorised information
BIT	Break in Tempo [a hesitation, or over-fast call]
PP	Procedural penalty [a fine]
NOs	Non-offenders
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
Benji	Benjamin: a popular name for a form of Acol where 2♣/♦ openings are strong and artificial, 2♥/♠ openings are weak

ENGLISH BRIDGE UNION

2007

APPEALS

General

From the 1st August 2006 a new Orange Book applied in England. You can download a copy from the L&EC website – see Contacts. There were major changes to the alerting rules. The most important changes were: first the introduction of “Announcements” for the ranges of 1NT openings, for Stayman and simple Transfer responses, and for natural Two level openings; and second that alerting above 3NT was usually stopped.

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 N/S 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 –1370

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 probably at least one experienced player. 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.

Note that while the 2007 Laws came into use in England before this booklet was published, all the appeals were held under the 1997 Laws.

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ENGLISH BRIDGE UNION

2007

APPEALS

CONTENTS

CONTENTS.....	9
APPEAL No 1: That's weak!.....	10
APPEAL No 2: I tell you it IS strong!.....	14
APPEAL No 3: It was worth two, now it is worth three.....	18
APPEAL No 4: Moi? Psyche?	22
APPEAL No 5: These two are mine?.....	27
APPEAL No 6: I never remember those pesky fit bids!.....	31
APPEAL No 7: Where's the ace?	34
APPEAL No 8: Architects of their own misfortune?	38
APPEAL No 9: The late unlamented Law 25B.....	42
APPEAL No 10: What is suggested?	47
APPEAL No 11: What's a minor penalty card?.....	51
APPEAL No 12: Let's help partner	56
APPEAL No 13: What's wrong with accepting with a maximum?	62
APPEAL No 14: A mite heavy for a single raise?	66
APPEAL No 15: Should I protect?.....	71
APPEAL No 16: Trump support ain't what it used to be.....	75
APPEAL No 17: Clear enough!	81
APPEAL No 18: Unusual unusual no-trump	84
APPEAL No 19: What's the double?	87
APPEAL No 20: I would definitely have led a club if I had known	91
APPEAL No 21: I am sure he has a weak two – goodness!	95
APPEAL No 22: What is he thinking about?.....	99
APPEAL No 23: A “disgusting” ruling?	103
APPEAL No 24: Canapé is alertable	109
APPEAL No 25: Extra values?	114
APPEAL No 26: A clear majority?	117
APPEAL No 27: Is pass to play?	121
APPEAL No 28: What's this funny machine for?	124
FINAL COMMENTS.....	126

APPEAL No 1: That's weak!

07/021 Easter Festival Blackpool

Tournament Director:

Liz Stevenson

Appeals Committee:

Jeff Smith (Chairman), John Holland, Catherine Draper

IMPs to VPs Board no 32 Dealer West E/W vulnerable	♠ J 7 6 ♥ 2 ♦ K J 8 6 5 2 ♣ 8 4 2	
♠ Q 10 5 4 2 ♥ K Q ♦ Q 9 ♣ A K 6 5	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ A K 9 3 ♥ A 8 7 4 ♦ A 10 ♣ Q 9 7
	♠ 8 ♥ J 10 9 6 5 3 ♦ 7 4 3 ♣ J 10 3	

Basic systems:

North-South play Acol 5-card majors, weak NT

East-West play Reverse Benjamin

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
1♠	3♦(1)	4♠	P
P	P		

(1) East asked and was told it was intermediate 11-15

Result at table:

4♠ + 3 by West = NS -710, lead ♦ x

Director first called:

At end of hand

Director's statement of facts:

East called the TD to the table. She said that she had bid 4♠ because she had been informed that the 3♦ bid was intermediate. The TD ascertained that N/S were playing weak jump overcalls. Despite E/W being misinformed about the strength of the hand, the TD judged that East could have bid differently to find out her partner's strength.

Director's ruling:

Table result stands

Details of ruling:

E/W have been misinformed but that information has not damaged them. (Law 75C)

Appeal lodged by:

East-West

Appeals Committee decision:

Score assigned for both sides:

$$6\spadesuit + 1 = \text{NS} -1460$$

Deposit returned

Appeals Committee's comments:

N/S are a regular partnership – although this appears a misexplanation we feel that because E/W are very inexperienced they would have been encouraged to look for slam with the correct information.

L&EC Secretary's comments:

Both East and West are Premier National Masters

Alain Gottcheiner's comments:

Having ascertained that there was misinformation, the AC did right in changing the score to 6♠+1. While East could have cued 4♦, her 4♠ wasn't "failure to play bridge". She would probably have bid 4♦ (or some other forcing bid) had she known the truth about 3♦. Whether this would have led to 6♠ is another story, but we're compelled to answer in the positive, according to L12C2.

Considerations about the players' level are secondary. Everybody bids – or looks for – slams less freely when they know an opponent holds opening bid values and an easy lead (at least ♦KQ and an Ace or other re-entry).

Barry Rigal's comments:

It is important to distinguish between consequent and subsequent damage. Here, East's jump to 4♠ was a serious bridge error. Some might drive to slam, some make two slam tries, but only a very few might let partner out at game after making at least one try. Yes, the expectation that 3♦ was intermediate perhaps makes it more attractive to bid only 4♠ but the failure to make even one slam try with the East cards is a severe enough error that E/W deserve no recompense from the AC. (Note that in a weak no-trump base West will always deliver shape or extra HCP.) I'd approve the 'excellent' TD ruling, and given the E/W degree of experience I think the AC bought the Brooklyn Bridge.

Bob Schwartz's comments:

I don't see how the TD can say that E/W were not damaged by the MI from an experienced partnership – clearly they were. I support the decision to award N/S -1460.

As to E/W?? The AC says they were very inexperienced yet the L&EC secretary says they are Premier National Masters. If that means they are not very inexperienced then I think 4♠ was egregious and E/W keep their +710. If they indeed were inexperienced I still might rule 710, but could live with 1460. (12C3?? 80% of 1460, 20% of 710 is that legal?)

David Stevenson's comments:

Premier National Masters can hardly be described as "very inexperienced". It is not clear to me that E/W should receive any adjustment but to get a full 100% of slam seems totally ill-judged: any pair that would never miss this slam over a weak jump overcall would have made a try over an intermediate jump overcall. It seems that Law 12C3 is considerably under-used by English TDs and ACs.

Eric Landau's comments:

I agree with the ruling, but why should East's being "very inexperienced" matter? An experienced East might well have chosen to explore the possibility that North was psyching, but is fully entitled to ignore that risk (i.e. decide that this particular North isn't the sort of chap who would psych) without worrying that it was a misdescribed agreement rather than a psych. He cannot be sure from his hand that North doesn't have the values he allegedly advertised.

Frances Hinden's comments:

I agree with the AC decision. 'Inexperienced' may be the wrong word to use, but (with apologies to anyone who feels insulted) there are plenty of Premier National Masters who could have been damaged by the MI.

Heather Dhondy's comments:

I agree with the TD. Whatever the meaning of the 3♦, bidding 4♠ is getting nowhere near to describing your hand hence East was the engineer of her own bad result.

Jeffrey Allerton's comments:

Perhaps the TD is right that the misinformation ought not to have damaged the non-offending side. Perhaps the AC is right to conclude that E/W would have looked for slam given correct information. Both arguments have validity so I would prefer a weighted ruling under (1997) Law 12C3, perhaps 50% of 4♠+3 plus 50% of 6♠+1.

Jens Brix Christiansen's comments:

It is obvious that East was misinformed, so the difficult part of the ruling is to determine whether damage was caused by the misinformation. In the 2007 version of the laws, the concept of damage has been more clearly defined in Law 12B1. Had these laws been in effect, it seems fairly clear that the score should be adjusted. Unless the EBU has enforced a more restrictive policy for the *damage* concept under the 1997 laws, I would have voted to adjust the score.

Nakatani Tadayoshi's comments:

Director's ruling that misinformation has not damaged E/W is, in my opinion, too harsh to the non-offending side: definitely East was deterred from making a slam try by this misexplanation.

However I do not agree with the AC's decision to adjust the score to 6♠+1, NS -1460 for both sides. If E/W are very inexperienced players as the AC says, then I am doubtful if they would bid the slam every time with the correct information. So I would give the weighted score of 80% of 6♠+1, NS -1460 and 20% of 4♠+3, NS -710.

Paul Lamford's comments:

East's 4♠ bid came perilously close to being classified as wild or gambling here. Surely she was worth at least 4♦? She no doubt reasoned that North had 12 HCPs and West 11 HCPs or vice-versa, but given that slam is solid opposite ♠ QJxxx ♥ x ♦ xxx ♣ AKxx her bid was very poor. Enough to deny her the redress that the MI would otherwise grant her? I have never been sure how bad bids have to be to fall into the 'wild or gambling' category, but I prefer the AC decision. In a sense, she is being penalised, because the AC decided that someone who bids 4♠ in this auction would not reach the cold 7♠ with correct explanation. I concur.

Richard Grenside's comments:

Why would you ask unless you had experience that partner opens on lightish hands? With a great fit for partner + a 17 count, sitting over an 'intermediate' overcall, one must suspect that a slam is a possibility. If 12C3 (in the old laws) was available, this would be the ideal and perfect time to use it. The two obvious alternatives are 4♠ + 3 and 6♠ + 1. Whether the infraction is worth more than the failure of E/W to bid is pure conjecture, I would probably go 50/50.

Richard Hills' comments:

A generous Appeals Committee. Without South's misinformation it is not at all clear that East-West would (almost) always reach slam, so a weighted score is indicated. My weightings would be:

20% 7♠= NS -2210

60% 6♠+1 NS -1460

20% 4♠+3 NS - 710

Robin Barker's comments:

I think the appeals committee decision is generous to E/W, a weighted score might have been more appropriate.

Tim Rees' comments:

This looks like a suitable hand for a weighted ruling (Law 12C3). We're looking at possible actions by the non-offending side, so there's no problem with giving such a ruling. I'd have given E/W less than half of 6♠, as the explanation doesn't appear to have had much bearing on whether they bid slam.

Final summary by editor:

While not unanimous, the general feeling is that a weighted adjustment would have met the case best.

Note by editor:

While the 2007 Laws apply when this booklet is published, the appeals were all held under the 1997 Laws. Weighted scores were available to TDs and ACs under Law 12C3.

APPEAL No 2: I tell you it IS strong!

07/022 Easter Festival London

Tournament Director:

Ian Spoors

Appeals Committee:

Heather Dhondy (Chairman), Rob Cliffe, David Gold

MP Pairs Board no 12 Dealer West N/S vulnerable	♠ 5 ♥ 7 6 ♦ A K Q J 9 7 6 2 ♣ 7 3	
♠ Q 9 6 4 3 ♥ A 4 3 2 ♦ 5 ♣ Q 8 6	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ A 8 ♥ K Q 8 ♦ 8 4 3 ♣ A K 10 9 5
	♠ K J 10 7 2 ♥ J 10 9 5 ♦ 10 ♣ J 4 2	

Basic systems:

North-South play Weak NT, 4-card majors

East-West play weak NT, 3 weak 2s, 5-card majors

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
P	3♦(1)	P	3♠
P	4♦	P	P
P			

(1) Explained as 'strong 8 playing tricks' (disputed)

Result at table:

4♦ -2 by North = NS -200

Director first called:

At end of hand

Director's statement of facts:

The TD was called by East who claimed that when she had asked about the 3♦ opening, she had been told it was 'strong' with 8 playing tricks and that had she known it could be as weak as this she would have bid on. The TD checked with South that it was the N/S agreement to open the North hand 3♦ which was confirmed. The TD used the word 'strong' several times in his enquiries and it was not challenged until the TD gave his ruling.

Director's ruling:

N/S 40%, E/W 60%

Details of ruling:

The North hand does not meet the requirements for a strong opening bid. Their methods are not permitted (OB P66).

Note by editor:

Under EBU regulations if an illegal agreement is used then the result is cancelled, and scored as Ave+/Ave– unless the non-offenders got a better score than this. According to the Orange Book it is legal to play a 3-level opening as natural whatever the strength [11J3].

Appeal lodged by:

Both sides

Basis of appeal:

'South did not say strong'.

Appeals Committee decision:

Director's ruling upheld

Deposits returned

Appeals Committee's comments:

The convention card describes the system bid as strong so we think the likelihood is that it was described as strong at the table and as such to open it with this hand is illegal.

Alain Gottcheiner's comments:

This can't be a case of disallowed system, because a natural opening bid of 3♦ is always allowed if properly alerted. But it could be a case of MI.

Apparently, here is a bid that shows 8 tricks (undisputed fact) and can't be described as "strong" ? I fail to understand that. If somebody opened 2♦ with this hand, would it be MI to call this an "Acol 2-bid" ? Can't a hand's strength be described in playing tricks rather than 'schmoints' ?

However, if the strange interpretation of the word "strong" as "strong in HCP" is lawful, we have to consider MI.

I think that E/W deserve no redress at all, because if they had been told "8 playing tricks", without any adjective, they wouldn't have bid either, so it's a case of (marginal) MI – no influence.

Barry Rigal's comments:

No need to comment given the editor's asides. Assuming he is right – and how could we doubt it – this is an example of just why we need TDs to combine together on even simple rulings.

Bob Schwartz's comments:

Confusing. Given that it is MP's with favorable vulnerability why didn't East bid 4♣?

I can live with TD and AC ruling, but I would like to have been present at the appeal and hear all sides.

David Stevenson's comments:

Since it is legal to play a natural 3♦ opening of any strength the AC and TD have clearly gone wrong here. The MI possibilities are more interesting: there is a growing abuse in England and Wales to open a pre-emptive hand with an opening bid described as strong. Thus the defenders base their decisions on the wrong impression.

In fact, it seems quite effective here, since East has no easy bid over 3♦ and West is kept out by the 3♠ response. While I might give an adjustment it would include a fairly large proportion of the table result.

Frances Hinden's comments:

Sadly, a totally wrong ruling by both the TD and the AC. There is no law or regulation restricting natural 2-level or higher openings. The ruling should have considered first whether the word 'strong' was actually used or not, secondly what the N/S partnership agreement was and hence if 'strong' was misinformation (South's bid is consistent with expecting a strong hand from partner), and thirdly if E/W were damaged as a consequence.

Jeffrey Allerton's comments:

A natural 3♦ opening can be played as any agreed strength so the TD was wrong to cancel the board. This should have been treated a misinformation ruling. East has a difficult call over a pre-emptive 3♦ opening. East might pass anyway, overcall 4♣ (which may or may not be raised to 5♣) or make an off-shape take-out double. If he doubles, West might choose either 4♠ (leading to a minus score) or 4♦ (presumably leading to 5♣ making). This suggests a weighted ruling of the various scenarios, but if the weighting would give the non-offenders a worse overall matchpoint score than the table result, then the TD should rule no damage and allow the table result to stand.

Jens Brix Christiansen's comments:

The TD's ruling, as upheld by the committee, makes little sense to me. I find no evidence in the Orange Book outlawing an agreement to open 3♦ with North's hand. But I might not be looking in the right place. The reference given by the TD leads only to the definition of "strong".

Nakatani Tadayoshi's comments:

It seems N/S has failed to fully explain the nature of their 3♦ opening; hence there was an infraction of misexplanation. What action would East take with the correct explanation is difficult to access, as East's hand pattern seems rather unsuitable for any action after a 3♦ opening. As long as you cannot deny the possibility of East bidding 4♣ with the correct explanation, I would rule weighted score of 40% 5♣, NS-400 and 60% of 4♦-2, NS-200.

Paul Lamford's comments:

The explanation should be "shows around 8 playing tricks with diamonds as trumps; may have very little defence" or something like that. But even then I don't see a sensible route into the auction for East-West and South wins the board with his 3♠ bid. The adjustment to 60-40 is definitely wrong for the MI. East might double 4♦ for penalties, but that could be a complete failure if North had a stiff club and South was making a genuine game try. No adjustment, I think, but the standard PP for N/S for incorrect explanation and system card.

Richard Grenside's comments:

Explanation should be simply '8 playing tricks' inferentially strong, however minimum would be an 8 card suit with no losers. Clearly East would take some action with this information and again a 12C3 would be a good way to go. In this case all advantages to E/W as even though East has a 16 count with the information of 'STRONG' a bid or X over 3♦ would be unattractive. In perusing the hand, the only good score for E/W is 10 tricks in clubs, this may be difficult to reach or stop there, so my guess is that E/W have not received that bad a score! Would like to see other results on the board.

Richard Hills' comments:

Call me a heretic, but North did have 8 playing tricks in diamonds, and did hold a hand way stronger than a normal 3♦ pre-empt. So as TD I would have ruled zero misinformation and zero adjustment to the table score.

Robin Barker's comments:

I don't understand. A natural opening of 3♦ is permitted, whatever strength; indeed it would not be possible to regulate a natural 3♦ bid under the 1997 laws. N/S mis-described their agreement and E/W had misinformation and might have been entitled to an assigned adjusted score.

Tim Rees' comments:

The TD and AC appear to have applied the wrong regulation. The "Rule of 25" applies to strong artificial bids (such as Acol 2♣ or Benjaminised 2♣/2♦). It is permitted to open a natural 3♦ (or a natural 2♦, come to that) whatever the strength, subject to proper disclosure.

Therefore, this is an MI problem, rather than a 40/60 adjustment. Whether E/W were damaged does not appear to have been considered.

EBU Chief Tournament Director's comments:

Regrettably both the ruling and confirmation of it are incorrect. It is entirely legal to open 3♦ with diamonds. What is wrong is to describe it as 'strong'. This is a MI problem, not illegal system. TD thought this ruling was 'easy' and did not consult. Scary that a high level AC also think this is too. N/S now know 3♦ is legal as long as described properly.

Final summary by editor:

A unanimous view seems to be that it was not a very good effort by TD or AC. However, it is interesting what the correct ruling should be, and no-one seems very sure.

APPEAL No 3: It was worth two, now it is worth three

07/023 Easter Festival London

Tournament Director:

Martin Lee

Appeals Committee:

Paul Hackett (Chairman), David Muller, David Gold

MP Pairs Board no 27 Dealer South Love All	♠ A ♥ A 9 6 2 ♦ Q 3 2 ♣ 9 6 5 3 2										
♠ K Q J 10 9 4 3 ♥ 4 ♦ 10 9 6 4 ♣ Q	<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>		♠ 8 7 2 ♥ K J 7 3 ♦ 8 5 ♣ A J 10 4
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠ 6 5 ♥ Q 10 8 5 ♦ A K J 7 ♣ K 8 7										

Basic systems:

North-South play weak NT, reverse Benji, 5-card majors

East-West play weak NT, 4-card majors

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
			1NT
2♠	2NT(A1)	P(H)(2)	3♣(A)
3♠	P	4♠	P(3)
P	P		

- (1) Lebensohl sequence starts
- (2) Agreed hesitation
- (3) TD called

Result at table:

4♠ ✓ by West = NS -420, lead ♣x

Director first called:

At point (3) in auction

Director's statement of facts:

The TD was called part way through the auction. Facts (including the hesitation) not in dispute. Auction continued – rights reserved. The TD was called back at the end of play – E/W made 10 tricks. The TD asked E/W what 1NT 3♠ meant – ‘not agreed but it would normally be a long weak suit’. The TD asked why West had not bid 3♠ (as opposed to 2♠) – ‘my partner might pass and we could have game on - 2♠ gives us more room to reach game’. The TD asked ‘Do you have a 2-suited defence to 1NT’. Reply ‘Yes, Apstro’.

Director's ruling:

Score assigned for both sides:

3♠ + 1 by West = NS -170

Details of ruling:

The agreed hesitation gave West UI which he took advantage of. (L73F1, 73C, 16A2, 12C2)

Appeal lodged by:

East-West

Basis of appeal:

I would always bid 3♠

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

The hesitation suggests that the Lebensohl sequence is weak and although West has length we felt he could not make a second bid.

Because we felt West genuinely believed he had a 3♠ bid and the level of the player the deposit was returned.

L&EC Secretary's comments:

West National Master, East Premier National Master

Alain Gottcheiner's comments:

Agree on the fact that 3♠ was prompted, or at last helped, by the tempo. It's a very dangerous bid indeed. A weak hand which doesn't guarantee a 3♠ bid seldom guarantees a two-step 3♠ bid. Returning the deposit was rather generous.

One thing the TD and AC failed to do is to determine what would have happened if West had duly passed. Would the final contract necessarily be 3♠? Aren't -100 (in 4♣), -150 (in 3NT) and several others possible results? L12C2 allows us to score NS -170, E/W +100, for example. That's the ruling I'd have preferred.

Barry Rigal's comments:

This is a seriously defective write-up (or decision). West convicted himself out of his own mouth. Clearly the 3♠ call was influenced by the tempo of East. I'd put back the result to what the AC did. Even though we are supposed to give E/W the worst of it (and the AC should have discussed this) I assume East would balance with 3♠ or West would pull a double of 3♣ to 3♠. But we can't let the non-offenders off that lightly; now we have to look at how 4♠ was allowed to come home. After the club lead, how was declarer allowed to make? Unless N/S can justify letting through a game off four absolutely top winners, I'd let N/S keep their -420, since they were given the chance to get +50 instead of -140. (The rationale here is that if an offender gives his opponents a chance for a better score as a result of his actions, the non-offenders might be held to a higher standard of care than if the offence takes away the non-offender's chance for a good result.)

Bob Schwartz's comments:

Where to begin? South called for the director at the proper time – hooray. West chose to bid 2♠ followed by 3♠ as opposed to an immediate 3♠ – I might have done the same thing. East chose to raise to 4♠—you couldn't pay me enough to do that (and certainly not if I had broken tempo earlier). North looking at the Trump ace and a side ace opposite a weak NT opening didn't double the final contract in MP's.

How in the name of all that is holy did 4♠ make???

Did South not cover the ♣J when it was led from dummy??

If a pass is imposed on West – presumably North passes or bids 3♠ Stayman or 3♥? I'm not sure of the range of the weak NT since it was not given, but North might easily be considering game – certainly competing. Were N/S playing neg x's (I do and that is what I would have done over 2♠)? If North passes 3♣ then East clearly bids 3♠, but frankly I don't see North passing. How did the AC or the director for that matter allow 3♠ to be the final contract since they disallowed West's 3♠ bid? 4♥ is actually a good save over 3♠.

I really want to ask everyone involved questions as to their methods – listen to answers – and maybe make a decision.

David Stevenson's comments:

Another meritless appeal. National Masters should have enough of an idea what to do in UI situations not to appeal. Too many people do not try to do the right thing when they have UI from partner.

Eric Landau's comments:

If West does not bid 3♠ over 3♣, it's not 100% for East to bid 3♠. Since the TD/AC have apparently determined that North was planning to pass 3♣, I'd have allowed for some chance (perhaps 20%) that South would be allowed to play there.

Frances Hinden's comments:

I agree with the AC except that I would have kept the deposit. I would quite like to know how the play went, however. Making ten tricks in spades requires fairly poor defence, but probably not poor enough to deny redress.

Heather Dhondy's comments:

As West I would never allow the opponents to play in a 3-level contract and would always compete to 3♠. Therefore I would allow the bid as it seems normal (having begun with 2♠).

Jeffrey Allerton's comments:

The authorised information from the auction tells West that either (i) North is about to sign off at the 3-level (in which case East is marked with the values suggested by the pause) or (ii) North has a game forcing hand type in which case 3♠ could cause the opponents a problem and is very unlikely to go for more than their game. The unauthorised information suggests that scenario (i) is more likely than scenario (ii) but I would want to bid 3♠ in either scenario. Love All at Pairs, I don't see how the UI demonstrably suggests bidding over passing, so I would vote for leaving the table result to stand.

Jens Brix Christiansen's comments:

No comment. Seems straightforward to me.

Nakatani Tadayoshi's comments:

I agree with the decision by Director and AC. However AC should have kept the deposit or at least reprimanded West for this blatant use of UI: the reason for appeal by E/W is simply ridiculous.

Paul Lamford's comments:

No doubt East's hesitation was considering whether to bid 3♠ on that round or when the opponents alighted, in what he expected to be 3♦, on the next round. Or he might have been considering doubling Lebensohl to show some values. However, the BIT demonstrably suggested to West that East had some values, and the chances of North having the stronger-hand types that Lebensohl normally includes had diminished. Pass is definitely an LA, although without the UI I would bid 3♠, but then I would have bid it on the previous round. But why the adjustment to 3♠+1 for West? When 3♣ comes round to East it looks normal for him to pass this out with ♣AJ10x. So I would adjust to 3♣ = by South +110, losing a heart and three trumps.

Richard Grenside's comments:

This ruling requires a lot of investigation. Firstly, the director needed to determine what action North would have taken had West passed? Presumably pass, whereupon East has a normal 3♠ bid, which may well prompt West to find the fourth. I assume both the TD and appeals committee reasoned that 3♠ would be passed, a decision that is reasonable.

Richard Hills' comments:

ACBL Laws Commission Vice-Chair Adam Wildavsky makes the reasonable point that if a player is experienced enough to appeal, that player is experienced enough to lose their deposit. Adam's point is reinforced by the EBU policy of having freely available Appeals Advisors ("Cuddlies") to educate disgruntled potential appellants.

Robin Barker's comments:

Presumably the adjustment was on the basis that East would (always) bid 3♠ over 3♣, but it would have been good if the TD and/or the appeals committee had said so. I am not surprised that the deposit was returned but the stated grounds for doing so are weak.

Tim Rees' comments:

This ruling looks OK. I might have been tempted to keep the money.

Final summary by editor:

A majority find the appeal of doubtful merit, yet a minority might allow the appeal. The trouble with the slow approach to defensive bidding is that UI from partner causes trouble, and a previous plan to bid again may become illegal at such a time.

APPEAL No 4: Moi? Psyche?

07/024 Easter Festival London

Tournament Director:

Roland Bolton

Appeals Committee:

Malcolm Pryor (Chairman), David Muller, Andy Bowles

MP Pairs Board no 3 Dealer South E/W vulnerable	♠ Q 9 4 2 ♥ ♦ J 9 7 3 2 ♣ Q 8 7 5	
♠ 10 6 ♥ A K 6 ♦ A K 8 5 ♣ A 6 3 2	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ K 7 3 ♥ J 8 7 4 3 ♦ Q 6 ♣ K J 9
	♠ A J 8 5 ♥ Q 10 9 5 2 ♦ 10 4 ♣ 10 4	

Basic systems:

East-West play Reverse Benji weak NT

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
			P
1♦	1NT(1)	Dbl	2♣(2)
Dbl	P	P(3)	2♥
3NT	P	P	P

- (1) 15-17
- (2) Asking for majors to find fit
- (3) East asked meaning of 2♣; told not certain – new partnership.

Result at table:

3NT – 1 by West = NS +100, lead ♠x

Director first called:

At end of hand

Director's statement of facts:

The TD was called at end of play by E/W. E/W drew attention to psyche, which they believed South had fielded. On second round of spades West went up with ♠K playing North for ♠A on basis of 1NT overcall. E/W lodged appeal 10 minutes after play ceased. TD tried to locate both N/S but unable to do so for giving the ruling and notifying of the appeal. Only E/W attended the hearing.

Director's ruling:

Table result stands
Green psyche – no adjustment

Appeal lodged by:

East-West

Basis of appeal:

Believed South should pass 1NTx with 7 HCP

Appeals Committee decision:

Amber psyche – no adjustment
Deposit returned

Note by editor:

Green psyche means the TD found no evidence of any concealed partnership understanding, ie he ruled the psyche was not fielded. Amber psyche means that there was some evidence but not sufficient to adjust.

Appeals Committee's comments:

Committee were uncomfortable that the 2♣ bid was a normal action opposite a strong NT overcall. Committee reclassified the psyche as Amber. However N/S were not present to explain the logic of their actions.

Director-in-Charge's comments:

N/S unaware there had been an appeal. As no score adjustment was awarded there is no problem with tournament results.

L&EC Secretary's comments:

Subsequently N/S became aware and there was much correspondence.

Alain Gottcheiner's comments:

I would have classified the psyche as green. The bidding, South's hand and the vulnerability are enough to guess who's the joker.

E/W were a bit unlucky to encounter a distribution where West had to double 2♣, thereby allowing North to look consistent in not knowing about 2♣ and passing it. This is part of the game. No redress for lack of luck, of course.

Barry Rigal's comments:

Another unsatisfactory ruling, in a sense, because we did not have the players present at appeal. No comment seems appropriate, in context; if South could persuade me that it was intended as Stayman, I'd buy it – this time!

Bob Schwartz's comments:

When did the TD decide it was a green psych and when were N/S informed?

My understanding of colored psyches would be that no way could this be ruled as a green psych – so I don't understand the TD ruling.

N/S got away with murder and E/W seem to have been badly served by the entire process. I'm not sure if waiting until 10 minutes after play had ceased to appeal might not be too long – if they had been informed of the ruling in a timely manner.

David Stevenson's comments:

2♣ seems reasonable if it is Stayman, and with doubles from opponents 2♥ looks like the limit of the hand. But there are two worries. First, why did South not double 3NT? That is the action – or perhaps I should say inaction – that might lead to an Amber classification. But I think it is clear enough by now that North cannot have his bid.

Second, what about passing 2♣ doubled out? Does the pass show clubs? South has UI that partner does not know what 2♣ is. Nevertheless, most people tend to play a redouble over Stayman as clubs, and pass as nebulous. So, despite some doubts, I would rule as the TD did. But I would like to know whether UI was considered by the TD [and the AC].

Frances Hinden's comments:

Personally I agree that this was a Green psyche. But more to the point, there really should not have been a hearing without N/S knowing about it, whether or not it was going to alter the tournament results.

There appears to be no Law or EBU regulation that gives players the right to be given the opportunity to state their case, in person or in writing, although I think that perhaps there ought to be (the White Book merely says that participants 'normally' have the right to attend appeals of first instance).

Heather Dhondy's comments:

This is a very unsatisfactory position where N/S are not present or even aware of the appeal. One questions whether the chairman should have allowed it to go ahead under the circumstances, since there would clearly have been questions that the committee would want to put to them. I have no problems with the rulings as given, but would also be unhappy as N/S that the TD ruling had been changed without being given a chance to have my say.

Jeffrey Allerton's comments:

I agree with the AC's 'amber' classification. Whilst South might have chosen to play in 1NTx or 1NTxx that could easily be the wrong thing to do and looking for a major suit fit is a perfectly reasonable action to take. Should South have doubled 3NT? Perhaps East's double of 1NT and West's strong subsequent bidding expose the psyche.

Jens Brix Christiansen's comments:

It is not clear whether players are expected to be available in the playing area until the normal 30 minutes specified in Law 92B have expired. It does not seem altogether fair that N/S should be denied their right to present their views at the hearing because they have left the playing area 10 minutes after play has ceased. Admittedly, the White Book (93.1) does allow an appeal to be heard under these circumstances.

The ruling from the committee implies a certain insight into N/S's methods. It could well be entirely innocent for South to explore the hand further by means of Stayman, signing off in 2♥ when North denies holding a four-card major. The committee may have taken the "amber until proven green" path here.

There seems to have been much subsequent correspondence. It might have been worthwhile to have handled this further correspondence formally by allowing it as a basis for an appeal under Law 93C, thus providing N/S with an opportunity to have the psyche formally reclassified as green.

Nakatani Tadayoshi's comments:

AC decision of classifying this situation as "amber" seems quite reasonable: to bid 2♣ in this position is a bit suspicious to me. Of course we must check N/S more thoroughly before making the final decision.

Paul Lamford's comments:

The first point is that N/S should have been contacted both for the original ruling and when E/W appealed. I do not think the hearing should have been conducted until they were. Presumably they had gone to eat at the end of the session, but the TD should have advised them to contact him before they left as there was a pending ruling and possible appeal. This ought to be good practice in any tournament where appeal hearings are traditionally held in the meal break.

Back to the ruling itself. The only decision is whether the classification is green or amber. From South's point of view it looks almost certain that someone has psyched. If it is West, which seems unlikely, he will retreat to his presumed long diamond suit, and the opportunity to find the best major suit fit will have disappeared. If East has psyched a double of 1NT, then it will be the first time that I have seen it. North is huge favourite to be the joker, probably with long clubs. But passing never gains – one of West or North will be bidding something. So it makes complete sense to bid Stayman now, so that North can bid a four-card major whether or not West runs if West is the culprit. Of course general bridge knowledge tells us that the person who psyches is always the one at favourable vulnerability. I would share the AC's desire to find out why South bid 2♣, but in his absence, I would agree with the TD classification of green.

Richard Grenside's comments:

West is well aware that North does not have 15-17, seeing 28 points in his and Dummy's hand, one doesn't have to be Einstein to know that North has psyched. I too am unhappy with South's choice of 2♣, I would be interested in whether N/S were an established partnership, if so, they may well have an experience of this type of psyche which would require either a procedural penalty or some form of adjustment, possible two non balancing scores, worst case for each side as West contributed to their own bad score.

Richard Hills' comments:

EBU White Book clause 93.1:

Players normally have the right to attend appeals of first instance, but the hearing of the appeal in circumstances likely to prevent their presence does not invalidate the appeal.

But this clause applies to an appeal being held at an inconvenient time for one side (or both sides), not to one side being totally unaware of the appeal, thus not even able to provide a written submission. So, in my opinion, the odiously overhasty appeal hearing was illegal, due to violating Mansfieldian principles of justice under English common law.

My opinion is arguable under the 1997 Lawbook applying at the time. But the relevance of English common law to an odious infraction of natural justice is explicitly stated in the 2007 Lawbook's final footnote:

** The Regulating Authority is responsible for compliance with any national law that may affect its action.*

Chief Justice William Murray, Lord Mansfield (1705-1783), in his judgement (1772) abolishing slavery in England:

.....it's so odious, that nothing can be suffered to support it but positive law. Whatever inconveniences, therefore, may follow from a decision, I cannot say this case is allowed or approved by the law of England; and therefore the black must be discharged.

In the same case, Lord Mansfield famously wrote:

Let Justice be done, though the Heavens may fall.

Tim Rees' comments:

If North had opened a strong NT, I would allow South to remove a double, as it's quite likely that the doubler has a long minor. When North has overcalled 1NT, that's a lot less likely, so I'd expect South to leave 1NTx in.

My inclination would be to rule this as Amber, and that's what I think the TD should have done. After the Green ruling, I'm not at all comfortable about an AC overturning this without N/S having a chance to explain their actions. If at all possible, this appeal should have been held the next day. It's lucky that no score adjustment was required, as that would have caused even more difficulties.

EBU Laws & Ethics Committee's comments:

The L&EC finally upheld the TD's classification of Green.

Final summary by editor:

Some think Green, some think Amber, some think that holding the appeal was terrible. Take your pick! It is certainly not the first time an appeal has gone ahead when a pair does not know about it. The organisers are often in a quandary where they appear damned if they do, damned if they don't. Should they really explain to a pair with a legitimate appeal that it will *never* be heard once the opponents have left?

APPEAL No 5: These two are mine?

07/025 Easter Festival London

Tournament Director:

Martin Lee

Appeals Committee:

David Burn (Chairman), Mike Bell

MP Pairs Board no 12 Dealer West N/S vulnerable	♠ K 7 2 ♥ A 9 3 2 ♦ K 10 7 5 ♣ K 6	
♠ J 10 9 8 5 3 ♥ 10 6 4 ♦ 2 ♣ A 7 5	N W E S	♠ A 6 4 ♥ K Q J 8 ♦ Q J 9 ♣ J 3 2
Only the shaded bold cards remain	♠ Q ♥ 7 5 ♦ A 8 6 4 3 ♣ Q 10 9 8 4	

Basic systems:

North-South play Benji, Weak NT

East-West play 3 weak 2s, weak NT

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
2♠(1)	Dbl	3♠	4♣
P	P	P	

(1) Weak

Result at table:

4♣ by South. 8 tricks made before trick 12, result disputed

Director first called:

At end of hand

Director's statement of facts:

The TD was called by E/W at the end of play as regards a disputed 2-card ending. South was on lead (as declarer) at trick 12. He states that he played ♦8 and then quickly said (putting the card on the table) that ♦6 'was good' – he was in effect claiming both tricks. E/W both strongly contend that they both only saw the ♦6 and that they win the final heart trick in dummy.

The TD asked declarer to replay how he claimed the last 2 tricks – this was disputed by E/W. N/S contend it would be irrational to play ♦6 in this situation.

Director's ruling:

One trick to E/W

Score for both sides:

4♣ - 1 by South, NS -100

Details of ruling:

Compulsory play of card by declarer (L45C2)

Appeal lodged by:

North-South

Basis of appeal:

South played ♦8 before ♦6

Director's comments:

The TD is in an invidious position where both N/S and E/W maintain two opposing perspectives of what happened. In the end the TD ruled in favour of E/W (South played ♦6) purely because the last 2 tricks were played quickly and thus there is scope for error.

Comments by North-South:

At trick 11 I ruffed with my last trump. By this time I knew both my diamonds were winners and led the ♦8 to cater for the ♦7 in dummy and then the ♦6 on the last trick.

Comments by East-West:

At trick 11 declarer ruffed with his last trump and put the ♦6 on the deck. We then claimed trick 13 knowing that trumps were finished. It was only at this point that the ♦8 appeared on the deck.

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

It seems to us that if ♦8 had been played first there would not have been an issue. As far as we can see, the TD has ascertained the facts efficiently and the ruling is therefore allowed as per Laws 85 and 84.

Alain Gottcheiner's comments:

Counter the AC's argument first. It would be easy for a quick-minded West to call the TD after the claim and take the AC in.

But we don't need to pretend somebody lies. Because of the way the claim was made, there is indeed doubt as to what happened and both sides might simultaneously be sincere.

So we have to decide disputed facts according to probability. Wasn't there some jurisprudence that plain suits are played top down – and ruffs made with low cards – when looking about lines of play after an incomplete or imperfect claim?

Barry Rigal's comments:

The TD seems to me to have given an unsound ruling, (i.e. not making a decision on the facts, but on the grounds that error was possible as opposed to probable) but I'd go for the approach that playing the ♦6 was irrational, not inferior. So 4♣ makes. The players' comments at appeal might persuade me of their competence – or otherwise.

Bob Schwartz's comments:

I hope I never get to the point that my behavior would ever match that of E/W – in trying to get something for nothing. I have no idea who is telling the truth, but obviously one side is deliberately fabricating what happened. I would find it incomprehensible that South would play the 6. If it lost he would lose both tricks, therefore the 8 has to be right. Yes people lose their minds, but this is a bit much.

If indeed the TD has ascertained the facts as best he could—then this seems to be a matter of law and non-appealable.

I don't know if you have a recorder system in place – If you do I would make sure that E/W are identified and listed. This should be a one time shot for them.

David Stevenson's comments:

Questions of fact are usually best left to the TD who was there soon after the event, so I approve of the AC decision. As to the declaring side explaining it is irrational to play the wrong card, mistakes are made all the time, and mistakes often are irrational choices.

I am not happy with the TD's comments. It is not an 'invidious position' to have to make a judgement decision: it is perfectly normal directing.

Frances Hinden's comments:

I find the ruling somewhat surprising (it does appear irrational to play the 6 in the two-card end position) however I cannot say that the TD's and AC's finding of fact is wrong.

Heather Dhondy's comments:

Where the facts are disputed, a ruling has to be given by looking at the balance of probabilities. I agree with the AC that there would have been no issue if the opponents had seen the 8 first, therefore the likelihood is that declarer played too quickly and tabled the wrong card by mistake.

Jeffrey Allerton's comments:

Disputed facts cases are always difficult, but on balance of probabilities, I agree with the TD. In such cases, the AC will tend to stick with the TD's finding of facts unless additional evidence comes to light at the appeal.

Jens Brix Christiansen's comments:

Nothing to add.

Nakatani Tadayoshi's comments:

As long as Director and AC have ascertained the fact as stated, basically I do not object to the ruling. But I think South had clear understanding of the situation and made a sort of "claim" at trick 12 although South's (disputed) action might have betrayed his intention. Personally I would rule 4♣ 10 tricks, NS+130 as director as well as AC member.

Paul Lamford's comments:

Nothing to add to the AC comments.

Richard Grenside's comments:

Reminds me of a famous case way back when a declarer holding AKJ of a suit, played from dummy, with the defender playing the Q. Declarer now claimed putting the J down first. A claim does not apply to any trick in progress therefore the trick was lost! I would suggest that this is similar, whilst one would like to rule in declarer's favour, law is law. There is a strong case to suggest that the 6♦ hit the table as a played card and then the claim was made. Agree with Director and Appeals Committee.

Richard Hills' comments:

"In the end the TD ruled in favour of E/W (South played 6) purely because the last 2 tricks were played quickly and thus there is scope for error."

In the end as TD I rule in favour of N/S (South played 8) purely because the last 2 tricks were played quickly and thus there is scope for E/W to misunderstand South's valid claim.

My experience is that often opponents are confused by a valid claim, but less often does declarer claim totally irrationally by blocking equals of eight, seven, six.

"It seems to us that if ♦8 had been played first there would not have been an issue."

It seems to me that ♦8 was played first, but opponents created an issue because they were confused.

Scientific investigation of miscarriages of justice in real-life court cases show that statements of eye-witnesses to an event tend to be much less reliable than statements of actors in that event.

Robin Barker's comments:

TD ascertained the facts and the appeals committee had no reason to find different facts or rule differently.

Tim Rees' comments:

This is essentially an appeal against a finding of fact by the TD (that declarer played the ♦8). An AC can hardly ever overturn such a finding, as the TD is in a much better position to decide.

The TD did well to make a decision on the facts, even though he didn't have much to go on. I've seen cases where the TD has referred such a decision to the AC, creating an impossible situation.

Final summary by editor:

The general view is that findings of fact are best left to the TD.

APPEAL No 6: I never remember those pesky fit bids!

07/031 Schapiro Spring 4s

Tournament Director:

Ian Spoors

Appeals Committee:

Steve Eginton (Chairman), Liz McGowan, Ed Scerri

IMPs	♠ 8 7 6 4 3	
Board no 18	♥ 4 3	
Dealer East	♦ 9	
N/S vulnerable	♣ A J 10 8 6	
♠ Q 10 5 2	<i>N</i>	♠ K 9
♥ K 10 9 8 6	<i>W</i>	♥ A Q J 7 2
♦ J 6 3	<i>E</i>	♦ A 10 7 5 4
♣ 4	<i>S</i>	♣ 9
	♠ A J	
	♥ 5	
	♦ K Q 8 2	
	♣ K Q 7 5 3 2	

Basic systems:

North-South play Acol including fit jumps

East-West play Acol

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

(1) Not alerted. East asked immediately and told forcing for 1 round.

(2) South now said he remembered that 3♠ was a fit jump.

Result at table:

5♥x - 2 by East = NS +300, lead ♣A

Director first called:

Just before South made his final call.

Director's statement of facts:

South remembered their methods just too late to rescue West. South was not prompted by any outside agency. West says that the auction and explanation tell him that East holds short spades. Had he known 3♠ was a fit jump he would not have bid 5♥.

Director's ruling:

Table result stands

Details of ruling:

The auction does not add up. South's bids, independently of his explanation, suggest spade shortage in East. East has shown at least 10 red cards. Whether the blacks are 2-1 or 1-2 is not determinable.

Appeal lodged by:

East-West

Basis of appeal:

5♥ less attractive if correct explanation given

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

Whilst the committee had sympathy with position West found himself in, we find no reasons presented to disagree with the director's judgement that the 5♥ bid was not caused by the misinformation, but as a result of the opponents' auction, and if described as a fit jump the 5♥ was at least equally likely.

Alain Gottcheiner's comments:

Not very much to discuss. The AC's comments are quite sensible. Just add a PP to N/S.

Barry Rigal's comments:

West's 5♥ bid was a random punt, uninfluenced by his opponents' explanations. With tricks in the trump suit he can't expect a second shot of this sort. I'd be tempted to withhold the deposit.

Bob Schwartz's comments:

If the director was called prior to South's final bid (ie – x) did the director take West away and ask if he wished to change his bid?

Unlike the committee I have no sympathy for West; how can letting N/S play 4♠ be wrong with 4 trumps and a tap suit? Result stands – keep the \$.

David Stevenson's comments:

West seems to be trying to recover from a bad first bid. It always seems wrong to me to bid "because of partner's known shortage in a particular suit": if he is short, he can see it. I think West's earlier bidding was the prime cause of his bad result, although he was unlucky that South bid 4♠ for the wrong reason.

Frances Hinden's comments:

I agree with the AC on this one.

Heather Dhondy's comments:

I think that West is unlucky. It is only because the opponents have had a misunderstanding that they do not have the expected spade fit. However, I do not think that the description of the bid has a material effect on his final decision since he would expect a fit to exist in either case. Therefore the score should stand.

Jeffrey Allerton's comments:

Let's consider how West might consider the situation given correct information. He'll assume that the fit jump shows 5 spades, the most common treatment.

If the overcaller had 3-card spade support and knew of the double fit, why would he stop off to double 4♦, wouldn't he just bid 4♠ on the previous round? The actual sequence seems like a sensible way to bid a 2146 hand, so given correct information, West might consider the possibility of 4♠ being a 5-2 fit.

If South does have 3-card support, presumably that makes his shape 3046 (3145 with good diamonds is not possible as that would double 1♥) and his partner something like 5314. Now 4♠ could be in trouble as dummy gets forced promoting a 2nd trump trick (or late heart winners) for the defence.

On the other hand, under the original explanation it seems that spades are 6-2 or 7-2 and that the 3rd round of hearts can be ruffed in the long hand.

So if I were West, I would definitely be more inclined to bid 5♥ under the original explanation than the correct one. What matters is whether the bidding of this particular West player might have been affected by the misexplanation. This is a judgement matter for the TD/AC. On the facts given, I'd be inclined to believe that this West player might have bid 5♥, but equally he might not bid 5♥, and so I would award a weighted score of some form.

Jens Brix Christiansen's comments:

I support the "at least equally likely" argument.

Nakatani Tadayoshi's comments:

Both director and AC decision are quite acceptable. The auction clearly suggest Spade shortness in East and it's all up to West to bid 5♥ with or without "correct explanation".

Paul Lamford's comments:

I agree with the TD and AC ruling, except I would have left out all the words before the first comma in the latter. 5♥ was a dreadful bid (as was North's fit jump on five small, but that is not relevant).

Richard Grenside's comments:

What on earth was West doing, partner opens the bidding, shows 2 suits, I have 4 trumps, opponents are vulnerable, 800 territory? Happy to X every runout. Even 5♣x is one off. Table result stands, however procedural penalty on N/S for forgetting the convention.

Robin Barker's comments:

Again, the appeals committee found they had no reason to disagree with the TD.

Tim Rees' comments:

This looks like another hand for a weighted ruling (Law 12C3). I think that the 5♥ bid would be less likely if 3♠ had been explained correctly as a fit jump. Therefore, E/W have been damaged. However, I believe the explanation doesn't make a huge difference, so I'd only give E/W a small percentage of 4♠.

Final summary by editor:

Some sympathy from a couple of commentators, but the general view is that West did it to himself.

APPEAL No 7: Where's the ace?

07/032 Schapiro Spring 4s

Tournament Director:

David Stevenson

Note by editor:

Because this was a knockout match and the result of this appeal could not affect who won, the appeal was withdrawn by both sides before being held.

K/O teams Board no 7 Dealer South All vulnerable	♠ A 9 7 3 2 ♥ 7 5 ♦ K 6 4 2 ♣ A 9	
♠ 5 4 ♥ A K 6 4 ♦ Q 9 8 7 5 ♣ K 7	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ Q J 6 ♥ 10 8 3 2 ♦ 10 ♣ Q 6 4 3 2
	♠ K 10 8 ♥ Q J 9 ♦ A J 3 ♣ J 10 8 5	

Basic systems:

North-South play strong NT, 5-card majors, short club

East-West play 2/1 strong NT

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
			1♣
1♥	1♠	2♥	2♠
P	4♠	P	P
P			

Result at table:

4♠ - 1 by North = NS -100, lead ♥3

Director first called:

At end of hand

Director's statement of facts:

♥3 (third and fifth) led to Q and K. Diamond returned to J. After returning to hand with a spade declarer led a heart. East paused for a time – declarer said 'three to four minutes' and East did not disagree. East then played the 2. Declarer played J and went off. Before the tempo break she was intending to play the 9.

Director's ruling:

Table result stands
Procedural penalty to E/W of 3imps.

Details of ruling:

Failure in duty of care so penalty. But not reasonable to play J so no adjustment. For it to be right East must have underled the ace and ducked with it, and West must have overcalled with K 10 x x.

Law 73D1: players should be particularly careful in positions in which variation may be to the benefit of their side.

Appeal lodged by:

Both sides

Basis of appeal:

E/W: pause necessary
N/S: would play differently if not misled.

Appeals Committee decision:

Appeal withdrawn.

Alain Gottcheiner's comments:

I don't know why and how a pause would be necessary, and I'd be curious to hear E/W's explanation.

But I don't like the idea of "undue hesitation, but irrational play". There are frequent cases where a very inferior play suddenly becomes plausible because of an opponent's tempo, and this might well be one of those. It's L72B1, not 73D1, that I'd refer to: East could have known that his BIT might make South change his line of play. Adjust to 4♠ making.

Barry Rigal's comments:

I find this one very hard; East should certainly have worked out that his tempo break could confuse declarer – but North's play does look very strange. I'd rule against both sides (give N/S 4♠-1 and E/W 4♠ making) and average the results. A procedural penalty for E/W is also fine.

Bob Schwartz's comments:

Certainly declarer keeps her result – especially when East plays the 2 informing her that West had overcalled a 4 card suit. There is absolutely no reason to play anything other than the 9. East has a bridge reason to pause – but not for 3 minutes so I can live with the PP.

Eric Landau's comments:

East could have taken his huddle at a less opportune time, or could have given an informal disclaimer ("thinking about the whole hand, not this trick"). Law 73F1 could clearly be applied here. The TD's ruling, in essence, was that North's "failure of duty of care" met the standard of "egregious error" sufficient to "break the connection" between East's infraction and the apparent damage to N/S. One hopes he based this on North's being sufficiently experienced for such a slip-up to be genuinely egregious; a less experienced North would deserve an adjustment.

Frances Hinden's comments:

I'm sorry, but East's pause on the second heart up is grossly unethical. Even a slight twitch (genuinely from deciding whether to give a suit preference signal or not) is dangerous here, but three to four minutes? Although it is true that it is very unlikely from the auction that he has the Ace, it is easy to see why declarer went wrong. Had I ruled on this hand, the score would have been adjusted to 4♠ making and the fine increased to 6 IMPs. Traditionally these booklets do not name the players involved, but on this hand East deserves to be named and shamed.

Jeffrey Allerton's comments:

Deciding how to signal is not considered to be a demonstrable bridge reason for hesitating if it might mislead declarer into thinking that you have an honour (EBU White Book, Paragraph 73.1).

If East had played a low card in tempo, we can be fairly certain that declarer would have played the 9 from dummy, for the bridge reasons stated by the TD.

Therefore North *was* damaged by the pause; it doesn't matter if the TD thinks she ought to have got it right anyway.

So once the TD decides that there was no demonstrable bridge reason for the pause, I think he should adjust to 4♠ = for both sides using Laws 73F2 and 12C.

Since players at the Spring Foursomes really should know better, I'm happy to keep the TD's procedural penalty in addition to the score adjustment rectification. Hopefully, East will learn to be more careful in future.

Jens Brix Christiansen's comments:

In my opinion declarer was damaged and the score should be adjusted. While it is true that East's ♥3 followed by ♥2 show that West has overcalled on a 4-card suit and therefore is unlikely to be missing the Ace, I would still rule that the conditions for adjusting the score according to Law 73F2 are fulfilled.

When an infraction does not cause damage and thus no rectification is due, it is still possible to fine the infraction with a PP. The Danish regulations stipulate that such a PP is to be decided totally independently of any rectification (i.e., if no PP in case of rectification, then no PP either when no rectification). Viewed in isolation in this way, and considering the phrasing "should be particularly careful" (*should*, not *must*) in Law 73D1, I would not find this case of carelessness to be an infraction that is serious enough to warrant a PP.

Nakatani Tadayoshi's comments:

Agree to the ruling by director and AC but definitely no bridge reason for East to hesitate two to three minutes. Agree with PP on E/W.

Paul Lamford's comments:

When someone could have known that a break in tempo could have misled his opponent, it is normal to award an adjusted score, without having to question motives. The argument that, for declarer's play to be right, West would have to have overcalled with K10xx is not correct. West can have K10864, and East A32. Now why East might have underled the ace of hearts, or why East might have chosen the three would be a bit of a mystery. East has raised hearts after all, so there is no need to lead a true card, and it looks like South has a weak NT type hand, so maybe it would not be such a bad idea after all to lead a small one – South could easily have ♥KJx. Indeed it probably only costs, given that I am otherwise leading the ace, when North has a stiff king, and I am beginning to convince even myself that it is a good shot. Now one thing I would be certain of when East thought for a considerable time (it might have only been 20 seconds, but that is irrelevant – the BIT was agreed) is that East had started with the ace, and has originally underled it. And I would be disappointed when the jack did not win, against an ethical opponent. I would also impose the PP as well as adjusting. And I would certainly forfeit the deposit of E/W who appealed against the original decision.

Richard Grenside's comments:

I agree with the TD ruling, I fail to understand E/W's claim that it was necessary to pause! East knows exactly the shape and distribution of West's heart suit, knows exactly which card to play if wishing to show a club trick, a load of poppycock! Procedural penalty in order.

Richard Hills' comments:

The Director confused "a priori" with "a posteriori". "A priori" it was unlikely that East held the ace of hearts. "A posteriori", after East's lengthy pause, it was guaranteed that East held the ace of hearts.

So if I had been Director, I would have adjusted the score to 4♠ making, Law 73F, and applied a standard disciplinary penalty (6 imps, double the standard procedural penalty of 3 imps) to East.

When the appeal was withdrawn by both sides, as Director I would nevertheless have used my Law 83 power to refer East's action to the EBU Laws and Ethics Committee.

Robin Barker's comments:

Was East asked if there was a (demonstrable) bridge reason for his thought? Otherwise OK.

Tim Rees' comments:

I'd be interested to hear why East thought that a pause was necessary here. If it's not to mislead declarer, all I can think of is that it's to alert partner to some suit preference inferences, which is also illegal. East would have to do a lot of explaining to get me to return his money.

The TD decided that declarer's play was unreasonable, and so he kept his score. This looks OK, but I'd want to penalise East more than a standard PP. I'd want to give a split score: N/S getting 4♠ – 1 and E/W conceding 4♠=. The PP could then be withdrawn.

Final summary by editor:

I think it a pity the appeal was withdrawn, since then the case is neither seen by an AC nor goes to the L&EC. As can be seen from the various comments, there are completely opposite views, from no adjusting, to hanging, drawing and quartering.

Two small points: I can understand Richard H's wanting to give a double size PP, but surely it should never be a disciplinary penalty? The alleged offence was not of his behaviour: he was not rude nor offensive.

Also Frances H wants East "named and shamed". The lack of unanimity shows why this would be very wrong.

APPEAL No 8: Architects of their own misfortune?

07/038 Spring Bank Holiday Congress Bournemouth

Tournament Director:

Martin Lee

Appeals Committee:

Malcolm Pryor (Chairman), Andrew Thompson, Rob Cliffe.

MP Pairs Board no 14 Dealer East Nil vulnerable	♠ K 10 9 8 3 ♥ A Q J 7 ♦ K J ♣ 9 5	
♠ 2 ♥ 8 6 4 ♦ Q 7 5 2 ♣ K J 8 6 4	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ A J 5 ♥ K 3 2 ♦ A 10 8 ♣ A 7 3 2
	♠ Q 7 6 4 ♥ 10 9 5 ♦ 9 6 4 3 ♣ Q 10	

Basic systems:

North-South play 12-14 NT, Multi 2♦

East-West play 11-14 NT, Multi 2♦

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
		1♣	P
1♦	2♦(A1)	P	2♠
3♣	P	P(H2)	3♠
P	P	Dbl	P
4♣	Dbl	P	P
P			

(1) Explained as the majors

(2) Break in tempo – accepted.

Result at table:

4♣x ✓by East = NS -510, lead ♥9

Director first called:

The TD was already at the table watching the auction for a matter nothing to do with this ruling.

Director's statement of facts:

The TD was watching the auction re an unrelated matter and the TD saw a break in tempo. At the end of the auction the TD was called back by N/S who felt there was an alternative to the 4♣ bid. After consultation the TD felt the break in tempo had conveyed UI to his partner and that there was a logical alternative to the 4♣ bid of pass.

Director's ruling:

Score assigned for both sides:

3♠x - 1 by South = NS -100

Details of ruling:

Player received UI from partner by way of break in tempo and did not avoid using the UI. There was a logical alternative of pass (L73C, 73F1)

Appeal lodged by:

East-West

Basis of appeal:

E/W feel no logical alternative to 4♣

Appeals Committee decision:

Table score re-instated

Deposit returned

Appeals Committee's comments:

Committee noted that the penalty double was in tempo, only the earlier pass over 3♣ was out of tempo. Committee did not feel the earlier tempo break by East conveyed any specific relevant information to West. Taking the whole auction into account the Committee also felt that N/S were the architects of their own misfortune. (E.g. final double)

Alain Gottcheiner's comments:

The AC was right. Passing 3♣ could correspond either to a strong hand for clubs (which suggests taking out the double) or a good hand for NT (which suggests leaving it in).

N/S were more than responsible for their misfortune. North's double can only mean one thing: that he was trying to win on all counts through lawyering. I know that TDs should, in case of doubt, rule in favor of the non-offending side, but here, there was no offence, whence no offending side nor non-offending side, and he could have had some severe words to North.

Barry Rigal's comments:

Given that we've been asked not to criticize the TD ruling too strongly, I'm going to be far more restrained than he deserves. The basis of a score adjustment is that there was a B-I-T, (agreed) that it DEMONSTRABLY suggested a particular course of action, and that there was an LA to the action taken. Here the BIT on the previous round gives no UI to West other than that from East's penalty double. Correct AC ruling. The TD appears to have ignored the second step and gone straight to 'If it hesitates shoot it'.

Bob Schwartz's comments:

I think I need some more information. Besides the weak NT – do E/W play strong club?

What would a double of 2♦ have been?? Possibilities? Support? Strong NT? Cards? Any of those I play with different partners. Not having answers to these questions I agree with AC decision.

David Stevenson's comments:

Fairly close.

Eric Landau's comments:

This was correctly decided. Although the break in tempo conveyed UI and West had logical alternatives to 4♣, there was no indication that the UI made 4♣ more attractive relative to the LAs. The committee, however, should not have been influenced by N/S's being "the architects of their own misfortune". Such considerations matter only if the NOs' actions meet the criterion of being either an "irrational, wild or gambling action" or an "egregious error". Those are strong standards, and North's double of 4♣ doesn't come close to meeting either of them.

Frances Hinden's comments:

I agree with the AC. It's hard to see why a slow pass of 3♣ the round before suggests pulling the double of 3♠ next round.

Heather Dhondy's comments:

The break in tempo over 3♣ does not suggest anything in particular, and nothing that would suggest 4♣ instead of pass over 3♠x that I can think of.

Jeffrey Allerton's comments:

I agree with the AC: East's hesitation over 3♣ does not demonstrably suggest that pulling the double of 3♠ would be more successful. The TD's ruling would have made more sense if there had been a hesitation before the double of 3♠.

Jens Brix Christiansen's comments:

To me, the key word here is *demonstrably* in law 16A. It is hard to demonstrate how West's bid of 4♣ is indicated by the UI available to West, and for that reason I agree that 4♣ is no infraction, and thus no adjustment is called for.

It is worth noting, perhaps, that even without the final double, West's 4♣ does in fact damage N/S, who are now likely to lose 130 instead of 100 even without the dubious double. If West's 4♣ had been an infraction, it would have been necessary to consider whether North's double were to be considered wild or gambling to such an extent that some of the benefit of the adjusted score should not be awarded to N/S.

Nakatani Tadayoshi's comments:

The hesitation by East after West's 3♣, in my opinion, clearly indicates that East thought of bidding 3NT. This, together with East's double of 3♠, shows willingness to defend 3♠, not a doubt. Therefore West's takeout to 4♣ was not suggested by this hesitation. North's double of 4♣ has no good reason. Good decision by AC.

Paul Lamford's comments:

Nothing to add to the AC comments, with which I agree.

Richard Grenside's comments:

West is in receipt of UI, a thought process (admitted) over 3♣ shows an interest in taking an action. However the X on the next round of bidding confirms or legitimises the UI and one is now therefore back to status quo. All actions from there on are of no consequence for a ruling. Agree with Appeals Committee.

Richard Hills' comments:

The Appeals Committee went too far with the "architects of their own misfortune" comment. Merely because a non-offending side plays bad bridge does not mean that an offending side is automatically absolved.

But.....

Were East-West actually an offending side?

East's break in tempo over 3♣ demonstrably suggested that East was considering a bid of 3NT. Ergo, West's later 4♣ was not suggested by East's BIT, instead West passing the penalty double would have been the demonstrably suggested action.

So another case of "If it hesitates, shoot it!"

Robin Barker's comments:

I think I agree with the appeals committee that the slow Pass over 3♣ does not suggest the later 4♣ bid.

Tim Rees' comments:

The TD ruled that there was UI and that there was a logical alternative to 4♣ (of pass). Pass is certainly a logical alternative here. The UI conveyed by East's slow pass was that he had a strong hand. What the TD might not have considered is whether there was a link between the two. In my opinion, the UI did not suggest that 4♣ would be more successful than pass (indeed, it would have got a worse score if North hadn't doubled). Therefore, the AC got this one right.

Final summary by editor:

Near unanimity.

APPEAL No 9: The late unlamented Law 25B

07/040 Spring Bank Holiday Bournemouth

Tournament Director:

Chris Barrable

Appeals Committee:

Matthew Hoskins (Chairman), Mark Gurney, Helen Ackroyd

Swiss Pairs Board no 4 Dealer West All vulnerable	♠ 8 ♥ K 8 6 4 ♦ J 9 8 4 2 ♣ 6 3 2	
♠ A K J 9 6 4 3 ♥ 9 2 ♦ A K Q ♣ 4	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ Q 7 2 ♥ Q J 10 3 ♦ 10 6 ♣ A J 10 9
	♠ 10 5 ♥ A 7 5 ♦ 7 5 3 ♣ K Q 8 7 5	

Basic systems:

East-West play Benji Acol 5-card majors, prepared club, RKCB 1430, 2♦ = 9 playing tricks, 23+

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
P/2♦(1)	P	2♥	P
2♠	P	4NT	P
5♠/5♥/5♠(2)	P	P(3)	P

- (1) The TD was called after pass followed by 2♦. The TD ruled a mechanical error as West told the TD he intended 'stop' 2♦
- (2) 5♠ was placed on the table then 5♥
- (3) Fiddle in the box, followed by pass

Result at table:

5♠ ✓ by West = NS -650

Director first called:

At (1) for first infraction

Director's statement of facts:

The TD ruled that 2♦ was an immediate correction of inadvertency since West had said 'oh no' and substituted 'stop' for the pass, followed by 2♦. The auction continued as above until (2). West put 5♠ on the table. Then after some thought said 'sorry', picked up 5♠ and attempted to substitute 5♥. The TD ruled in accordance with L25B West had made a delayed or purposeful correction and that he could play for 40% max score on the board. He therefore let 5♠ stand. East then had UI, went to the box and fiddled with the bids and then passed.

Note by editor:

Law 25B in the 1997 Laws seemed to be a joke in extremely poor taste. Badly worded and confusing, when it was read out to players they normally assumed that the TD was joking. Fortunately it will have disappeared from the law book by the time this booklet is published.

Director's ruling:

Score assigned for both sides:

6♠ - 1 by West = NS +100

Details of ruling:

The TD ruled that East is in receipt of UI because of the attempted change of call by West from 5♠ to 5♥ and back to 5♠. East has the ♠Q so therefore has a problem. What can partner mean? (L25B, 16A, 12C2)

Appeal lodged by:

East-West

Director's comments:

The TD believes that East is in receipt of UI in excess. The TD cannot understand what West was doing bidding first 5♠ (2 of 5 with Q) then substituting 5♥ (2 of 5 without Q) or was he using 5♠ to show 3 key cards, or Roman to where 5♠ shows 2 odd/other etc? Whatever East knows that West has something other than his bid shows. Clearly East knows, his fiddle in the box indicates uncertainty.

Appeals Committee decision:

Table score re-instated

Deposit returned

Appeals Committee's comments:

On the facts L25B2(b)(1) actually requires East to pass, although neither pair had been informed of this. By good fortune East has actually made the call the law required (Law 23 not relevant).

Alain Gottcheiner's comments:

What a mess TFLB created! But the AC came out with a fair judgment, even if not 100% kosher. The problem is, the TD didn't explain the law fully.

Settle the "why 5♠" problem first. Many pairs answer "I've got the Queen" when they hold compensating extra length (West could have held just 5♠ up to now), so that's the UI East could have got.

The AC forgot to ask themselves whether the incomplete explanation of the law could have harmed N/S (L82C then being applicable), but surely the answer would have been negative: had West elected to correct to 5♥, there was zero probability that the final contract be other than 5♠.

Barry Rigal's comments:

Was this case heard on April 1st? What a ridiculous situation and yet again what a poor TD ruling. No further comments needed; I'm sure the editor has set the law out properly.

Bob Schwartz's comments:

Has West ever used bidding boxes before? I don't think I have ever heard of a case with 2 bid box infractions in 3 bids by 1 player. Anyway the AC got it right.

David Stevenson's comments:

A pity the TD did not record the lead. A club lead looks quite likely with the North hand – and 6♠ is cold on a club lead!

It is difficult to believe, but it appears that the TD ruled under Law 25B without reading the Law out, or at least without reading it out in full. If he had, then West, knowing that 5♠ enforces a pass, might have bid something that makes sure of slam, hoping for 40% – but getting considerably less!! This was TD error, and we will never know what would have happened if he had.

What was really in West's mind during his fumbling? Why did he show two controls, with or without the queen, when holding three? Perhaps he was not sure whether 4NT agreed spades, so he was wondering whether to respond to simple Blackwood. The AC should have asked him: if they did, they should have written down the answer.

The correct decision for the AC is to treat both sides as non-offending, under Law 82C, for the purposes of what they would have done after being told the correct ruling. Suppose that West might have bid 5♠ as he did, or might have bid 6♠ and played for 40%. One leads to NS +100, one to NS –650. Then, they might consider that he would choose to bid 6♠ not 5♠ some percentage of the time between 30% and 70%. They should split the score [because both sides are non-offending for this decision] leading to:

Score assigned for N/S (Law 12C3):

70% of 6♠ –1 by West, NS +100

+ 30% of 5♠ making by West, NS –650

Score assigned for E/W (Law 12C3):

30% of 6♠ –1 by West, NS +100

+ 70% of 40% of a top to E/W

[This assumes that 6♠ –1 scores less than 40% for E/W but 5♠ making scores more than 40%]

Phew! How did the AC miss this one?

Eric Landau's comments:

The TD's original ruling seems entirely unjustified; East would never have bid 6♠ over either a definitive-sounding 5♥ or 5♠ by West. The AC's decision, which reflected the almost certain result absent the infraction (given West's failure to count his key cards correctly) thus seems to "do equity". But West was obviously confused and uncertain, and chose to let 5♠ stand under the misapprehension that partner was free to continue bidding. There's no telling how much deeper a hole he might have chosen to dig himself into had he known that East was barred and been attempting to set the final contract. That East chose to pass does not, as the committee seems to suggest, "even things up". N/S deserve the benefit of a Law 82C ruling (which would probably improve their score but not affect E/W's).

Frances Hinden's comments:

Unfortunately this one is a case of Director's error. The first ruling (pass/2♦) seems right, with the pass card being inadvertently displayed instead of the stop card. The second was a deliberate attempt at a correction from 5♠ to 5♥. The TD correctly used 25B, but did not point out the full consequences of going back to 5♠ (partner is forced to pass). If West was aware of this, he might have bid 6♠ and taken 40%. However, we shall never know, and I am prepared to live with the table result.

Heather Dhondy's comments:

Table result stands. It is unfortunate that the proper law was not applied at the time but there's nothing that can be done about that now. The fiddling between 5♥ and 5♠ is nonsensical and East can draw no logical information from it.

Jeffrey Allerton's comments:

According to Law 25B1, the TD should have given North the option of accepting the substitute call. The TD does not mention in his statement of facts whether or not this option was given. I agree with the AC that under Law 25B2(b)(1), East would be required to pass a repeat of the original call (5♠). Knowing that, it is just possible that West would have elected to proceed with the change to 5♥, over which East is allowed to bid subject to unauthorised information constraints and the 'average minus' cap on his side's score. What would East have bid over 5♥? Presumably 5♠, as the stated E/W system of 'RKCB 4130' implies that West has only shown two key cards! As the TD does not seem to have explained the rules properly to the players, the AC should consider Law 82C (TD error), treating both sides as non-offending for this purpose. As it happens, the 'most favourable result that was at all likely' for each side is 5♠ by West making 11 tricks, so I agree with the final result.

Jens Brix Christiansen's comments:

I am overjoyed that we have seen the last of the 1997-version of Law 25B.

I agree with the TD's choice of Law 25A for the first irregularity and Law 25B for the second one. In applying Law 25B, the TD should explain that North may accept the change to 5♥ (then there is not further rectification), and if North does not accept, West must either choose 5♠ (East to pass at first opportunity, but may choose other call in later rounds) or change his call to any other legal call (in which case E/W is playing for a maximum of Average Minus on the board). Since the TD did not explain this properly and no subsequent rectification of the TD error is possible, the score should be adjusted considering both sides as non-offending; this looks like 6♠ 11 tricks for N/S and 5♠ 11 tricks for E/W.

Although it is irrelevant for the proper ruling, just for the record I would not be inclined to rule that it is a logical alternative for East to bid 6♠ over West's 5♠, but I would first need to check how familiar with the RKCB responses East knows West to be.

Nakatani Tadayoshi's comments:

As long as there was an incorrect ruling, director and AC should adjust the score considering both sides as non-offending under L82C. So why not give N/S 6♠-1, NS+100 and E/W 5♠, E/W+650 or 60% to both sides?

Paul Lamford's comments:

This was a matter of law, and there was director error. Now West might have bid 5♠, played for 40% by bidding 5♥ (unlikely by anyone not dead from the neck up) or taken a stab at 6♠. I think I would do the latter at the table once I knew the options, after all partner is virtually unlimited having relayed and then used RKCB. Now the AC needs to correct the director error. The next question is how likely North is to find the heart lead (on any other lead, declarer lucks out with the double ruffing club finesse, which is the only plausible line as well. Aargh! I don't think it is reasonable to estimate what actions West and North would take. Therefore we rely on White Book 82.1 and Law 82C which indicate that both sides should get the best score that was at all likely, treating both sides as non-offenders. In that case this is 6♠ = for E/W, with North not finding the heart lead, and 6♠ – 1 for N/S with a heart lead. The White Book indicates that the fact that this may result in a match score such as 12-11 for one side, with 20VPs at stake, should not matter.

Robin Barker's comments:

I agree with the appeals committee on the application of Law 25B; including the fact that Law 23 is not relevant.

But is there a case for ruling Director's Error? If West is correctly informed of his options, he may bid 5♦ (0/3 with spades agreed) or 6♠. Perhaps E/W should get 5♠= but N/S get some or all of 6♠-1 by E/W.

Tim Rees' comments:

Ah, Law 25B again! I've never understood why it was allowed to change your mind after making a bid, but not after playing a card. I'll be glad when it's gone.

The TD doesn't seem to have understood it, as he gave an incorrect ruling in law. Luckily, the AC picked this up.

EBU Chief Tournament Director's comments:

A sad tale and alas still not quite right. Sad the AC have to explain the law to the TD. Still not quite right as if West knows East must pass 5♠ then he might well not bid it. L25A and 25B on the same board!

Final summary by editor:

The demise of this unfortunate Law 25B seems to be welcomed. However, TD error may occur at any time, and some commentators, despite commenting on TD error, seem to think it right to give the same score to both sides, which is curious.

It is important with TD error, as with other adjustments, to realise that an AC [or TD] does not need to decide what would have happened. He merely decides what might have happened, giving suitable weighting. I find it surprising that only one commentator apart from myself seemed to consider weighting as part of a Law 82C [TD error] adjustment.

APPEAL No 10: What is suggested?

07/041 Pachabo Cup

Tournament Director:

Phil Godfrey

Appeals Committee:

Tim Rees (Chairman), Graham Jepson, Jonathan Mestel

Hybrid Board no 3 Dealer South E/W vulnerable	♠ K 5 3 ♥ K 9 ♦ A J 9 6 ♣ 10 9 3 2	
♠ 4 ♥ A Q 10 8 6 2 ♦ 10 7 5 4 ♣ A K	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ A Q J 10 9 8 2 ♥ J 3 ♦ K ♣ 8 7 6
	♠ 7 6 ♥ 7 5 4 ♦ Q 8 3 2 ♣ Q J 5 4	

Basic systems:

North-South play Acol

East-West play 5-card majors, strong NT

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
			P
1♥	P	1♠	P
2♥	P	2♠(H1)	P
3♠	P	4♠	P
P	P		

(1) 2♠ agreed slow. Shows 9 – 12, 6 card suit as playing weak jump shifts.

Note by editor:

The form of scoring in the Pachabo is teams of four with a mixture of points for aggregate scores and for match points.

Result at table:

4♠ + 1 by East = NS -650

Director first called:

At end of hand

Director's statement of facts:

N/S asked for a ruling as 2♠ was slow and they believed West's bid was marginal. E/W subsequently appealed stating there was no logical alternative.

Director's ruling:

Score assigned for both sides:

4♥ ✓ by West = NS -620

Details of ruling:

West is control rich and worth a push for game as vul at teams. 3♦ is logical alternative which would likely lead to 4♥, the hesitation suggests choice of 2♠ or 3♠.

Appeal lodged by:

Both sides

Basis of appeal:

N/S: West could pass

E/W: 3♠ automatic

Appeals Committee decision:

Table score re-instated

Both deposits returned

Appeals Committee's comments:

(1) West is entitled to bid over 2♠ as he has a maximum.

(2) Although 3♠ appears a strange choice of action we feel it has not been suggested by the hesitation.

Alain Gottcheiner's comments:

The TD's decision is incomprehensible. E/W were never on the way to playing in hearts. Either allow 4♠ or pull the contract back to 2♠. Telling us 3♦ on a non-suit is a LA is quite strange.

We have the perfect situation for what I wrote about case #8 : the case not being obvious, the TD decided in favor of the non-offending side and let the appeal be made. And the AC was right. More generally, methinks that whenever a player makes a call showing fair values in a non-forcing situation (typical case: a limit raise), partner won't be able to detect whether the hesitation suggests "light" or "heavy". On BLML, both opinions have been defended, which shows that none is obvious. "No usable UI" surely is right.

However, I'd have investigated E/W's claim that the range for 2♠ is 9-12. Who would risk a non-forcing bid, at IMPs or similar scoring, on a 12-count including a fair 6-card suit ?

Barry Rigal's comments:

This is very depressing, both when it comes to the TD and AC, who apparently need to be informed of the way the law works. Was there a hesitation? Yes. Did it demonstrably suggest bidding on (some combination of either bad spades or heart support or extras)? Yes. Was there a Logical Alternative to bidding? Yes. How can the committee say West had a maximum? Can they not add up to 13? Don't the committee (who acknowledged the pause demonstrably suggested action) understand that pass is an LA? They failed to mention that the Pachabo scoring has a strong element of matchpoints, and plus scores are better than minuses.

Bob Schwartz's comments:

2S showed 9-12 ?? What would 3♠ show?? A weak jump shift to 2♠ can be made with 8HCP – not by me. Pass is a LA but with the hesitation not a winning bid. 2♠ +200. Sorry, I don't agree with either the TD or the AC and I would keep the E/W deposit. N/S get their deposit back and better rulings from both entities.

David Stevenson's comments:

I think pass is an LA over 2♠, and the UI suggests progressing. So I would adjust to 2♠ +3. But I do not feel strongly about it. My guess is the hesitation was because East was wondering whether his singleton king would pull its weight, and he bid 2♠ deciding to downgrade the king.

Eric Landau's comments:

Again the TD's ruling seems rather odd. East's huddle obviously suggests that he would be pleased to hear West bid again, but there's nothing that seems to suggest one continuation over another. The only reasonable outcomes of the appeal are either an adjustment to 2♠ by East (if the AC decides that pass was a logical alternative to 3♠) or to let the table result stand (if they decide it wasn't, as they did).

Frances Hinden's comments:

I agree with the AC. The slowness of the 2♠ bid certainly suggests that East was considering alternative calls, but these may have been other invitational bids (such as 3♥ or 2NT), passing 2♥, or forcing to game. These considerations do not suggest passing over acting, but they do suggest not committing to spades, so West's 3♠ bid was arguably actively ethical rather than suggested by the UI.

Heather Dhondy's comments:

I believe that pass is a logical alternative (more than that, a normal action in my opinion). With just a singleton in support and a fairly minimum opening it cannot be automatic to bid on. West is receipt of UI as the slow 2♠ is likely to suggest extra values. I would adjust to 2♠+3.

Jens Brix Christiansen's comments:

I would have voted for the committee's ruling.

Nakatani Tadayoshi's comments:

I can't understand the reasoning by director as well as AC. I do not call it "a control rich" with a singleton in partner's suit and neither do I consider West's hand maximum for the same reason. I would cite the comments by director and AC to adjust the score to 2♠+2, NS-170. I think both director and AC went astray.

Paul Lamford's comments:

I agree with the AC decision to reinstate the table score. In addition to the reason stated that 3♠ is not demonstrably suggested by the hesitation, if instead West rebids 3♥, East will always choose 4♠ with a semi-solid suit and a shortage of entries.

Richard Grenside's comments:

East has a difficult bridge decision, I like the heading 'What is suggested', the possibilities are endless, Pass, 2♠, 2NT, 3♣, 3♦, 3♠, 3♥. My concern is that the 3♠ by West is almost a catch-all bid, which would put it under the umbrella of Law 16. A pass would be a possible option, so if UI is proven, almost certainly in this case, there is a strong argument for adjustment. 'What is suggested' becomes unimportant, what is relevant is whether West has taken an action that had a timely 2♠ occurred, would he have been so inclined to bid 3 opposite a possible 9 count. KJ10xxx, x, KJx, Jxx. The slow 2♠ is more suggestive of the upper range of 12 points. Consultation with Bridge playing experts would resolve the 'logical alternative' options.

Richard Hills' comments:

Answer to the AC's (1): The question is not whether bidding on with a maximum is a logical alternative. Rather, the question is whether passing with a misfit is also a logical alternative.

Answer to the AC's (2): The raise to 3♠ is not a strange choice of action if the hesitation demonstrably suggested to West that East was thinking of a jump rebid of 3♠ (which - surprise! surprise! - is what the East hand is actually worth).

Answer to my own answer: It is irrelevant that East was apparently actually thinking about 3♠; what matters is what the hesitation demonstrably suggested to West. If East held a different hand, East could have been hesitating between passing 2♥ and bidding 2♠. In that hypothetical situation, West's raise to 3♠ might have converted +110 to -100. So perhaps the Appeals Committee gave the right ruling after all.

Robin Barker's comments:

I agree with the appeals committee that the hesitation does not suggest 3♠.

Tim Rees' comments:

Slightly unusual, as both sides were appealing the same bid. Essentially, pass is not a logical alternative, as West is maximum with good controls. There are other logical alternatives to 3♠, such as the 3♦ suggested by the TD. However, these allow for finding alternative denominations, which could be one of the reasons for a slow 2♠ bid. Therefore, these alternatives are actually the ones that are suggested by the hesitation, not 3♠, which is the most committal bid at this point.

Final summary by editor:

Really it seems a toss-up. Some commentators think ruling it back obvious, some think it obvious to allow 3♠. Most are somewhere in-between. However, the TD's ruling gets no support.

APPEAL No 11: What's a minor penalty card?

07/042 Pachabo

Tournament Director:

Jim Proctor

Appeals Committee:

Chris Dixon (Chairman), D Beavon, Miles Cowling

Hybrid Board no 30 Dealer East Love all	♠ 10 3 ♥ 4 3 ♦ 10 9 4 3 ♣ J 10 4 3 2	
♠ 9 8 6 5 ♥ A 8 2 ♦ A 8 5 ♣ Q 7 6	N W E S	♠ Q J 2 ♥ 9 7 5 ♦ K Q J 6 ♣ A 8 5
Only shaded bold cards remain	♠ A K 7 4 ♥ K Q J 10 6 ♦ 7 2 ♣ K 9	

WEST	NORTH	EAST	SOUTH
		1♦	1♥
1NT	P	P	Dbl
Redbl	2♣	P	2♥
2♠	P	P	P

Note by editor:

The form of scoring in the Pachabo is teams of four with a mixture of points for aggregate scores and for match points.

Result at table:

2♠ - 1 by West = NS +50

Director first called:

During the play

Director's statement of facts:

The TD was called by West during the play. South, on lead, had faced ♥Q and ♣9 on the table. The TD decided that Law 50B probably applied but the TD did not say anything. At no time did the TD get the law book out. The TD asked South to leave the table with him and asked him which card he intended to lead. He said ♥Q. They went back to the table. West asked what had happened away from the table and the TD told her. The TD stated that the ♥Q was led, the ♣9 stayed face up on the table and it was unauthorised information to North that South had that card. The TD stated that "if South wished or had to play a club below the 10 he must play the ♣9 first". South asked for clarification and the TD repeated the last bit in quotes.

Director's ruling:

Table result stands

Details of ruling:

The TD was called by West at the end of play. Apparently she could have done better. She said she had misunderstood what the TD said.

Appeal lodged by:

East-West

Basis of appeal:

Director's error

Comments by East-West:

West claimed to have misunderstood the TD's statement.

Appeals Committee decision:

Director's ruling upheld

Deposit forfeited

Appeals Committee's comments:

Director's statements were accurate and not misleading. No request was made by West for further information. West admitted that it may have been her own misunderstanding. The player in question is a player of international standard and should be presumed to understand rulings clearly given. It was clear that West misunderstood but this was entirely her own mistake. The Committee decision was unanimous including the decision to forfeit deposit.

Alain Gottcheiner's comments:

The TD's procedure wasn't 100% classical. Was the player compelled to state which card he intended to play? Was there any guarantee that a player who knows about major and minor penalty cards would answer honestly? But anyway he gave the right ruling.

Now I fail to see how West could have done better with the knowledge that the ♣9 was to be played before any other small club, which happened not to be restrictive. Did she think South wasn't allowed to put up his ♣K? The TD's wording made it absolutely clear that this wasn't the case.

Barry Rigal's comments:

Yet again, director error; in such situations it seems to me that the committee should bend over backwards to give West the benefit of the doubt. There seemed to me to be doubt, but I agree it is close. It might well have helped me to be present at the discussions here.

Bob Schwartz's comments:

Committee unanimous to forfeit the deposit??? I am glad they kept the money. West should be identified. What a total waste of time.

David Stevenson's comments:

One of the problems of dealing with "a player of international standard" is that they often do not listen to what they are told, and I think this is what happened here. My experience as a TD tells me that most players assume they know the Law on penalty cards so do not listen very much. As a result it is common for the player to need the Law repeated when it finally sinks in that it is not the same as the major penalty card they are expecting.

None of this gives much excuse to a good player to whom the ruling was repeated and I am sure the appeal has no merit whatever.

Frances Hinden's comments:

I find this one quite difficult. On the one hand, West is an international (although not a native English speaker) and the ruling given was quite clear. On the other, the TD did not read from the Lawbook (as he ought to have done), and one might argue that if West did not understand then that must have been the TD's fault. What we can't tell from the write-up is if West did genuinely misunderstand the ruling, and could have done better if she had understood correctly – of course if that is not the case there are no grounds for an adjustment.

Heather Dhondy's comments:

The director's statement above in quotes appears to be a reasonably clear explanation of the position.

Jeffrey Allerton's comments:

If a player misunderstands a TD's instruction or explanation of the Law, is that the fault of the player or of the TD? Based on what is written in the TD's statement of facts, the TD seems to have explained the Law reasonably clearly, though it might have been helpful to have used the term 'minor penalty card' as well. As it is not clear that the TD has actually made an error, it doesn't seem right to invoke Law 82C, so I agree with keeping the table score.

Jens Brix Christiansen's comments:

When the TD discusses the situation with West, he should explain that South is free to choose to play either the ♥Q or the ♣9 regardless of his original intention, noting that if the ♣9 is led, the ♥Q becomes a major penalty card, but if the ♥Q is led, the ♣9 becomes a minor penalty card. The TD probably did just that, even though it is not reported as relevant to the appeal, so this comment is just for completeness.

I would have supported the ruling given by the committee.

Nakatani Tadayoshi's comments:

I don't think director's statements were fully clear and not misleading. Nevertheless I could not understand how she could have done better from the write-up. No damage, no adjustment.

Paul Lamford's comments:

Nothing to add to the AC comments. I couldn't work out how declarer could profit from the minor penalty card – more as an academic exercise.

Richard Grenside's comments:

Whilst I agree totally with the Director's and Appeals Committee's decision, it is always a good idea for the director to ask the player 'Do you fully understand?'. Bridge law is complex and players find it difficult sometimes to grasp the full meaning of the minor penalty card law. I feel the forfeiture of the deposit harsh. The TD has a responsibility to fully explain and to ensure full understanding. This was not achieved so there is a portion of a failure by the TD to comply fully with law.

Richard Hills' comments:

Law 21A:

No rectification or redress is due to a player who acts on the basis of his own misunderstanding.

Law 92A:

A contestant or his captain may appeal for a review of any ruling made at his table by the Director. Any such appeal, if deemed to lack merit, may be the subject of a sanction imposed by regulation.

Quoted above are the 2007 versions of the relevant Laws, improved in wording but not changed in substance from the 1997 versions applying at the time of the appeal. So yes, it was indeed correct for the Appeals Committee to forfeit the deposit.

Tim Rees' comments:

Under Law 58B, South chooses which of the two cards to lead, with the other being a penalty card. Under Law 50B, the ♣9 is a minor penalty card.

The TD seems to have explained the penalty clearly, so the ruling looks correct. I agree with the deposit being forfeited.

One aside: why did the TD take South away from the table? There doesn't seem to be any reason why he can't ask him the same question at the table.

Appeal to National Authority:

The Committee found that West's actions showed that she probably did not understand the ruling given by the TD. However they discussed whether this amounted to an error in tournament direction or was it just bad luck.

The Committee found that had the TD read the law straight from the law book then any misunderstanding would have been entirely West's and there would have been no recourse.

The Committee considered that there was some chance that the TD's wording had caused the misunderstanding.

The Committee therefore ruled under Law 82C that this amounted to Director's error.

If the Director has given a ruling that he or the Chief Director subsequently determines to be incorrect, and no rectification will allow the board to be scored normally, he shall award an adjusted score, considering both sides as non-offending for that purpose.

The effect of this was to award one additional trick to West's side – the contract being scored as 2♠ ✓.

The Committee refunded the original deposit of £30.

Final summary by editor:

The majority view is that the player was at fault and the appeal had little merit. However, a minority thought this was TD error, and the appeal to the National Authority supported that.

Note by editor:

Jens BC and Tim R explain the legal position behind playing two cards simultaneously. They agree with each other, and with most other people's view. Nevertheless, their view is wrong in Law. Furthermore, Tim R asks 'Why did the TD take South away from the table? There doesn't seem to be any reason why he can't ask him the same question at the table.'

When two cards are played simultaneously so that both are visible, and at least one is not an honour, the TD takes the player away from the table to find out which card he intended to play. Let us see why. The player may choose which card to play under Law 58 and his original intention is irrelevant. But the other card becomes a penalty card. Major or minor? Obviously major if it is an honour. But if it is not an honour, it depends whether it was the card originally intended to be played or not.

Consider this case: ♥Q and ♣9. If the player intended to play the ♥Q, and chooses the ♥Q, then the ♣9 is a minor penalty card. But if he intended to play the ♣9 originally, then it was "exposed through deliberate play" and thus is a major penalty card. This must be explained to the player before he makes his choice.

APPEAL No 12: Let's help partner

07/043 Pachabo

Tournament Director:

Phil Godfrey

Appeals Committee:

Frances Hinden (Chairman), Pat Davies, David Moir

Hybrid Board no 6 Dealer East E/W vulnerable	♠ K 8 5 2 ♥ Q 6 3 ♦ J 5 3 ♣ 9 6 3	
♠ Q 4 3 ♥ 10 7 ♦ Q 4 ♣ A K Q J 10 4	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ 10 7 6 ♥ A K 2 ♦ A 10 9 8 7 2 ♣ 8
	♠ A J 9 ♥ J 9 8 5 4 ♦ K 6 ♣ 7 5 2	

Basic systems:

North-South play Reverse Benji, strong NT

East-West play SAYC

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
		1♦	P
2♣	P	2♦	P
2♠	P	3NT	P
P	P		

Note by editor:

The form of scoring in the Pachabo is teams of four with a mixture of points for aggregate scores and for match points.

Result at table:

3NT by East, lead ♥5. 9 tricks made before trick 12, contested claim.

Director first called:

Claim at trick 12

Director's statement of facts:

South claimed at trick 12 with ♥J and partner's ♠K. E/W pointed out that North has 2 winners and could throw wrong one on ♥J. The play had been ♥5, 10, Q and ace. 6 rounds of clubs on which North played 3 clubs, 2 hearts and 1 spade; East 1 club, 3 spades and 2 diamonds; South 3 clubs, 2 hearts and ♠J. Then ♦Q, 3, ace, 6; ♥K, 8, 7, ♠8; ♦8, K, 4, 5; ♠A, 3, 5, ♥2; ♥J, ♠4 claim in following position:

Hybrid Board no 6 Dealer East E/W vulnerable	♠ K ♥ ♦ J ♣	
♠ Q ♥ ♦ ♣	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ ♥ ♦ 10 9 ♣
	♠ 9 ♥ ♦ ♣	

Director's ruling:

2 tricks to defence

3NT ✓ by East = NS -600, lead ♥5

Details of ruling:

North is in possession of full count of hand since East has shown out of spades and played three hearts. It would therefore not be a normal line to throw ♠K on ♥J. (Laws 70, 71C)

Appeal lodged by:

East-West

Basis of appeal:

North may play wrong card

Appeals Committee decision:

2 tricks to defence

3NT ✓ by East = NS -600, lead ♥5

Standard amount procedural penalty to N/S

Appeals Committee's comments:

Agree North would always get this right but bad behaviour from South to do this – stops any chance of a defensive error.

Alain Gottcheiner's comments:

It could well be the right ruling, but I don't like it. Who can claim they never jettisoned the wrong winner while they should have had a complete count? Perhaps the line between 'inferior' and 'irrational' isn't drawn at the right place.

Barry Rigal's comments:

Keeping the ♦J would be ridiculous (East has shown six diamonds in the auction) so the procedural penalty – as opposed to score adjustment – looks fair enough. To encourage (or discourage) the others as Voltaire would say.

Bob Schwartz's comments:

I disagree with “bad behaviour”– bad policy maybe when playing against certain people, but I'll be willing to bet East and West have done similar things. We all have – trick 12 indeed.

David Stevenson's comments:

The AC seem to have got this right. Some players are too eager to finish a hand when it seems obvious to them and the PP was important.

Heather Dhondy's comments:

It would be irrational to throw the king of spades since a full count has been established, therefore table result stands. However everyone makes irrational plays from time to time due to loss of concentration and South has committed an infraction which removes this slight chance. Therefore I agree with the procedural penalty.

Jeffrey Allerton's comments:

I agree with the TD and AC ruling 9 tricks. However, I don't know which Law South has broken; if the AC wishes to apply a procedural penalty it should specify the Law under which the procedural penalty is applied (and the TD should confirm the Law reference).

Jens Brix Christiansen's comments:

South is fined for bad behavior by claiming the rest of the tricks for the defense. This does not seem right to me. In general I would recommend a line where claiming is encouraged rather than penalized. The claim in question turned out not to be as straightforward as South had expected, making it a judgement call whether it would be simply careless for a player at North's level to discard the ♠K or whether it would in fact be irrational. I feel that the AC should simply make this judgement call and rule accordingly, without considering a PP. Not knowing North's level, I cannot contribute towards the judgement call.

Nakatani Tadayoshi's comments:

Right comments by both director and AC.

Paul Lamford's comments:

I agree with the TD and AC decision.

Richard Grenside's comments:

Procedural penalty the obvious application, N/S must be players who want to win at all costs, pleased that neither the Director or appeals committee succumbed to their outrageous claim that North may get it wrong.

Richard Hills' comments:

South is entitled by Law to make a defensive claim. The Director ruled that the claim was valid. The Appeals Committee ruled that the claim was valid. Why, then, did the Appeals Committee illegally fine North-South a procedural penalty?

WBF Code of Practice, page 6:

A contestant may only be penalized for a lapse of ethics where a player is in breach of the provisions of the laws in respect of the conduct of players. A player who has conformed to the laws and regulations is not subject to criticism.

WBF Code of Practice, page 9:

A procedural penalty may only be applied where there is a violation of the laws or of a regulation made under the laws. If an appeals committee awards a procedural penalty it should specify what law or regulation has been violated.

Richard Hills' further comments:

In Appeal 12 my opinion was that the procedural penalty was obviously illegal. This opinion has proved to be false; the coordinator of the Laws Drafting Committee, Grattan Endicott, thinks that the PP was legal, so I am reduced to arguing that the Appeals Committee decision was non-obviously illegal.

Everyone would agree that if South had said, "Don't discard the king of spades, pard," that is illegal and a procedural penalty would be richly deserved. The relevant Law in that hypothetical case is Law 73A1:

Communication between partners during the auction and play shall be effected only by means of calls and plays.

But what South did instead was claim. After a claim, Law 68D states that "play ceases". So South's claim statement to the effect of, "winning my jack of hearts then partner's king of spades" was not a "communication between partners during the ... play".

The Appeals Committee also gave an incorrect (in my opinion) reason for applying the procedural penalty, stating, "bad behaviour from South to do this - stops any chance of a defensive error".

But I argue this is good behaviour from South to do this - stops any chance of avoiding a defensive error.

This is because what was long-standing policy and practice under the 1997 Lawbook has been explicitly confirmed as the 2007 Law 70D2:

The Director does not accept any part of a defender's claim that depends on his partner's selecting a particular play from among alternative normal plays.*

** For the purposes of Laws 70 and 71, 'normal' includes play that would be careless or inferior for the class of player involved."*

So, if North discarding the king of spades at trick twelve would be careless or inferior, South's winning strategy is to keep schtum, not claim, and hope that North gets it right. A claim by South would guarantee the TD ruling that the careless or inferior defensive error happens.

(In the actual case, of course, both the TD and AC ruled that North getting it wrong would not be normal.)

Since a claim statement is initially a communication to the opponents, and (if disputed) secondarily a communication to the Director, how can a claim statement be deemed an illegal communication to partner? After all, as the new Law 70D2 makes clear, the Director plays the cards of the partner of a defensive claimer.

Grattan Endicott's comments:

Richard has not read the (1997) law carefully. Law 68C does not say "the line of defence through which his side will win the tricks claimed", nor "through which the tricks claimed will be won". It says the line of defence "through which **the claimer** proposes to win the tricks claimed". Claimer's nomination of a trick to be won by his partner is ultra vires and a violation of correct procedure. As to communication with partner, the nomination of the ♠K tells partner which card he shall tell the Director he will keep. In this case the Director was wholly satisfied that the partner knew exactly what cards had been played so that it would be irrational to retain his other winner. Since it is not reported, we take it on trust that before the Director arrived at the table there had been no discussion (between claimer and his opponents, for example) concerning the fall of the cards in the tricks played and that the Director explored this question - the AC would no doubt satisfy itself of this also. If there had been, the reference to 'doubtful points' in Law 70A would kick in. It is essential that the claimer's partner shall speak for himself, without claimer's help, as to his knowledge and plays.

Robin Barker's comments:

I don't like the procedural penalty for bad behaviour in claiming.

If it really was bad behaviour then this should be a disciplinary penalty – perhaps there was more to this than appears in the write-up.

The laws allow defenders to claim and to claim tricks in partner's hand, so South's claim cannot be an error in procedure. If there was a chance of a defensive error then the defence would not get their claimed tricks, so I don't see how South's claim stops any chance of avoiding the consequences of a defensive error.

What the claim did was to waste time in the TD having to decide that keeping ♠K is the only normal play; perhaps that is bad behaviour. I think South thought that the play was obvious and the claim would save time; that he was wrong was only an error of judgment.

Tim Rees' comments:

This looks to be a good application of a PP. The bad behaviour did not affect the result, so a PP is in order.

Final summary by editor:

No-one seems to think that the claim should not be allowed, but opinions differ about the PP. Some think it illegal, some routine! As to its legality, Law 90A gives the TD [and thus the AC] the right to penalise actions that "inconvenience other contestants". Does an inappropriate claim inconvenience other contestants?

APPEAL No 13: What's wrong with accepting with a maximum?

07/059 Brighton first weekend

Tournament Director:

Ian Spoors

Appeals Committee:

Frances Hinden (Chairman), Jon Williams, Chris Owen

Swiss Pairs Board no 24 Dealer West Love all	♠ A J 3 ♥ 7 ♦ A K Q 9 8 5 ♣ 9 5 3										
♠ 10 9 8 7 2 ♥ 6 5 4 ♦ 2 ♣ K 10 7 4	<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>		♠ 5 ♥ Q 10 8 3 2 ♦ J 10 3 ♣ A 8 6 2
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠ K Q 6 4 ♥ A K J 9 ♦ 7 6 4 ♣ Q J										

Basic systems:

North-South play Benji Acol

East-West play Benji Acol, weak NT

WEST	NORTH	EAST	SOUTH
P	1♦	P	1♥
P	2♦	P	3NT(1)
P	4NT(2)	P	6NT
P	P	P	

(1) 12-17 balanced (but not discussed)

(2) Acknowledged slow

Result at table:

6NT ✓ by South = NS +990, lead ♠ 10

Director first called:

At end of auction

Director's statement of facts:

E/W: since 2♦ is limited and not forcing, pass must be a logical alternative over 4NT. South said that 4NT typically shows ♦AKQxxx and is quantitative. South says 'It shows 15-16 and at least 6 diamonds' – that was my guess at the time.

Director's ruling:

Table result stands

Details of ruling:

(1) With a super maximum pass is not a logical alternative.

(2) In so far as the tempo of 4NT conveys anything it suggests partner should not continue.

Appeal lodged by:

East-West

Basis of appeal:

6NT not apparent

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

UI from 4NT does not suggest any particular action – hesitating is not a crime in itself.

Deposit is returned only because of the stated unfamiliarity of the players with an AC process. We would have kept the deposit had the appellants been more experienced.

L&EC Secretary's comments:

West is a premier life master, East is a life master.

Alain Gottcheiner's comments:

As I said about last year's appeals, don't they *ever* keep deposits ? I don't know what a *premier life master* is, but surely it's somebody who knows that 16 HCP is upper range for the 3NT bid ?

What's wrong with accepting partner's quantitative 4NT when holding a King more than promised so far and no misfit for diamonds (so that slow losers in partner's strong suit are improbable)? The TD's statement that 'pass isn't a LA' should have closed the case.

Notice that the final contract isn't exactly a laydown if Club honors are situated differently.

Barry Rigal's comments:

The best way to let E/W understand the way the appeal process works is to keep the deposit. Money talks! Again, E/W might also have mastered the concept of when to find an active opening lead, as well.

Bob Schwartz's comments:

Keep the money. More time wasted.

David Stevenson's comments:

4NT may not be the choice of many players, but a slow 4NT does not suggest anything. This was a meritless appeal. Players who get to be Life and Premier Life Masters are not inexperienced, and there can be no good reason for giving the deposit back. Too many players have pleaded inexperience and too many ACs have believed them.

Players do not in general enjoy sitting on ACs. They are voluntary, they occur at times when the AC members would like to be eating, or discussing what has happened with partner or team-mates, or travelling home. Many players, when asked, refuse to sit on appeals. Over the years of these booklets there have been a lot of frivolous appeals. Yet these same AC members who are suffering encourage frivolous appeals by returning deposits.

The EBU has been criticised many times for its method of controlling frivolous appeals. Alternative suggestions are to deduct MPs/VPs/imps as in Australia, or to issue Appeals Without Merit Warnings as in North America [players who get more than one get investigated and can be penalised further]. I have suggested deducting Green Points, since some players really love Master points. Best may be a package, where all of these are applied, since some players do not care about one or two of them.

But none of these will work unless ACs are prepared to apply penalties for frivolous appeals. Perhaps the time has come for the EBU Laws & Ethics Committee to state that inexperience is no reason to return a deposit.

Frances Hinden's comments:

I did ask East-West if they had attended an appeal before, and they said no. Hence the remark about unfamiliarity with the process.

Heather Dhondy's comments:

The South hand doesn't strike me as a super-maximum, however I don't think a slow 4NT suggests anything. It is a very unusual action and is hardly likely to be made in tempo ever. Clearly the alternative was the normal pass and I don't agree with the 6NT bid, but I can't see that it was influenced by the hesitation. Table result stands.

Jeffrey Allerton's comments:

I agree with the TD and AC. South could have been considering various calls, 2NT for example, so the unauthorised information does not demonstrably suggest any particular action. It is surprising that the deposit was not retained; perhaps the Laws & Ethics Committee needs to issue more clear cut guidance to appeals committees on when it expects deposits for frivolous appeals to be returned to inexperienced appellants.

Nakatani Tadayoshi's comments:

I agree that 4NT after hesitation does not suggest any particular action in this situation. I presume the reason for appeal was that E/W failed to beat 6NT by 3 tricks.

Paul Lamford's comments:

The return of the deposit here was unduly generous. The Brighton Summer congress has an appeals advisor; I feel sure that they would have advised East-West not to appeal if he had been asked; the TD should also advise East-West to consult them. If the latter was done, whether they chose to consult them or not, I would have retained the deposit, regardless of the level of experience of East-West.

Richard Grenside's comments:

Wow! They really play competitive bridge in the UK, what the EBU needs is an appeals advisor, then appeals of this nature would disappear into thin air without a trace. Keep the money, I say.

Richard Hills' comments:

In May 2004, Grattan Endicott wrote:

An interesting thought. I have not seen, as far as I recall, a regulation in any competition that actually says 'It is forbidden to play inferior bridge'.

David Stevenson responded:

Well, it is time there was one, and it was explained to my partners and team-mates. ☺

I suspect that one of the reasons for the appeal was North's inferior bidding - first supine with an innocuous 2♦ rebid, then trying for slam. More sensible would be North choosing a jump rebid of 3♦ on the second round, then letting South take captaincy of the auction.

But, as Grattan Endicott implies, one of the entirely legal joys of the game is getting good results after inferior bridge (such as bidding and making 6NT with four club losers off the top).

Robin Barker's comments:

The ruling seems obvious.

Tim Rees' comments:

Keep the money! E/W have asked for a ruling, as is their right. The TD presumably explained the reasons for his ruling, and E/W do not appear to have added anything extra in their appeal.

Advice on appeals is available for players who want it, especially at large events like Brighton. While it is not necessary for players to use this facility, they should take the consequences if they submit a appeal of little merit, especially as they do not appear to be inexperienced players.

Final summary by editor:

It is time more deposits were kept, and most commentators agree. Richard G wants Appeals Advisors: perhaps he will be surprised to hear we have them!

APPEAL No 14: A mite heavy for a single raise?

07/061 Brighton first weekend

Tournament Director:

Chris Barrable

Appeals Committee:

Jeremy Dhondy (Chairman), Paul Lamford, Bill Hirst

Swiss Pairs Board no 10 Dealer East All vulnerable	♠ A K 9 4 3 ♥ A K 10 9 ♦ J 7 3 ♣ 8	
♠ 6 ♥ J 8 7 3 ♦ K Q 9 8 ♣ 10 9 4 2	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ J 7 2 ♥ Q 6 5 4 ♦ 4 ♣ A Q 7 6 5
	♠ Q 10 8 5 ♥ 2 ♦ A 10 6 5 2 ♣ K J 3	

Basic systems:

East-West play strong NT and 5-card majors

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

(1) Alleged psyche bid

Result at table:

2♠ - 6 by West = NS +600

Director first called:

At end of hand

Director's statement of facts:

North asked the TD to record West's psychic bid. The TD questioned E/W as to their methods. The TD ruled that East had fielded the psyche by West.

Director's ruling:

Artificial score awarded:

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

Procedural penalty to E/W of 0.5 VP

Note by editor:

This is the EBU standard award for a fielded psyche.

Details of ruling:

In accordance with EBU OB directives 6A1/2, 6B1/2/3 the TD ruled that the psyche had been fielded.

When the TD enquired as to the regularity of the partnership the TD was told 'We have played about 3 times before in this type of event. We play online.' Because the partnership has a splinter bid available, and a jump fit support, the TD has ruled that East has therefore taken action which suggests he wishes to protect against his partner's bid.

Appeal lodged by:

East-West

Appeals Committee decision:

Psyche reclassified as amber

Table score reinstated

Deposit returned

Appeals Committee's comments:

That the psyche be reclassified as amber and the score returned to the table score.

The committee thought that East had a maximum 2♠ bid. They established that East had no 3-card limit raise available and accepted his reluctance to bid 2♣ as it might be passed.

Note by editor:

If the TD classifies a psyche as Amber then he has some doubts but has not ruled it fielded. Thus there is no adjustment and the table score is retained. A fielded psyche is classified as Red.

Alain Gottcheiner's comments:

Amber seems right to me. The 2♠ bid is very heavy indeed. The claim that E/W haven't any 3-card positive raise in their system should be investigated carefully. And even if I hadn't any, I would prefer showing a 4-card raise through a 3♣ bid. So, East's choice is suspect, but not an obvious fielding.

To those who think 2♠ is an obvious fielding, because 2♣ (non-forcing, but to be followed by 2♠ when they reopen) is the obvious bid, I'd like to introduce them to some very good players who don't like to balance over a minor when they don't hold any major.

Barry Rigal's comments:

OK; find me a synonym for appalling! What about the East hand makes it anything but an automatic raise to 2♠? I would congratulate the AC on rectifying the TD ruling, were it not for the fact that to do so was surpassingly obvious. (I might be influenced by transatlantic considerations about the choice of actions for East. However, as a passed hand East's simple raise looks normal and no alternative action higher than 2♠ should seriously have been considered.)

Bob Schwartz's comments:

I'm going to fudge on this one a little bit. Do TD's have the necessary bridge expertise to rule on fielded psyches? In the ACBL I would really have my doubts. I am not suggesting anything other than recording psyches and letting them automatically go to committees – if in doubt (or to consult equal level players). East has a clear cut 2♠ bid in the absence of playing Drury or some such convention. My gut feeling on this case is that the psyche was fielded, but without any history ruling that way is tantamount to accusing them of cheating so I would rule as the AC did. My feeling is predicated on the fact that I lack the courage to open 1♠ vulnerable on a singleton with no place to go.

David Stevenson's comments:

While I thought it very close to Red, a private poll I took at the time suggested that at least half the people I asked would bid 2♠. But most of them admitted they might also raise to 2♠ with something like:

♠ J 7 2

♥ Q 6 5 4

♦ 4 2

♣ T 7 6 5

This seems unplayable to me, but if people are playing this way, then I suppose East has not fielded the psyche. Amber then.

I played with East some months later, and told him if he bid 2♠ on a hand like the one in the appeal, I would shoot him!

Eric Landau's comments:

I'm not fully conversant with the EBU regulations on psyches, but it seems to me that the TD ran amok and dragged the AC halfway along. As a passed hand responding to a possibly shaded third-seat 1♠ opener, East's reasonable choices are 2♣, 2♠ and 3♣. Of these, given West's hand, either 2♣ or 3♣ would seem to provide a much stronger case for "fielding" West's psyche than 2♠ does (2♠ could be seen as an attempt to field an entirely different kind of psyche from the one West actually perpetrated, but I don't see how that can be relevant). Which means that once West chose to psyche, there was nothing East could do, short of taking a totally irrational call, that would have avoided a finding of "evidence of fielding". I'd be surprised to learn that EBU regulations, properly interpreted, would permit a player to find himself in that position.

Frances Hinden's comments:

I think the AC is closer than the TD here. Most partnerships do not make splinters or fit bids with only three card support. East's only genuine alternative to the heavy 2♠ bid is a natural, non-forcing 2♣. This clearly runs the risk of partner passing (that's why people play Drury). When I was given the East hand as a problem, I also bid 2♠ and hence I would rule this as Green, although I can live with Amber. Pass or a natural 1NT might be fielding, I don't believe that raising partner is.

Heather Dhondy's comments:

It does not seem to me that the East hand is too good for 2♠. Maximum? Yes, but within allowable boundaries. I would allow the table result to stand.

A splinter or fit jump would be an overstatement and better trump support would also be needed.

Jeffrey Allerton's comments:

I prefer the AC's ruling to the TD's. As E/W are not playing Drury, East just has a maximum raise to 2♠ with three trumps. There's nothing wrong with that; it is perfectly legal for E/W to agree to open light ('Rule of 18').

Jens Brix Christiansen's comments:

East's hand certainly merits a more powerful bid than 2♠, which presumably could be made without the ♣A. Therefore, I would be inclined to rule this a red psyche, but an inquiry into E/W's methods might show that an underbid of 2♠ is the best choice available to East in this situation. For instance, it would be interesting to know whether 3♣ would be invitational based on a ♣ suit and a ♠ fit, or perhaps 3♦ would be invitational based on a singleton and a ♠ fit.

Nakatani Tadayoshi's comments:

Whether East has fielded partner's psyche is difficult to judge as what to bid with East's hand largely depends on the player's style and agreement. I would bid 2♣ natural with my weak partner and definitely 3♠ if my partner were a good player. From the write-up, classifying "amber" seems OK to me.

Paul Lamford's comments:

The heavy raise and the psyche are clearly unconnected. If East had thought his partner might have psyched, he would have responded 2♣. East stated that the partnership's fit jumps promised four-card support and he selected the heavy raise as it was pairs. There was no support for a red classification among the AC, and the decision was between green and amber. A good hand for playing (1♠) – Pass – (2♠) – Pass – (Pass) – Double as penalties.

Richard Grenside's comments:

As much as I sympathise with N/S, psyches are permitted in Law and if the Director and Appeals committee are of the opinion that there is no partnership experience, then c'est la guerre! Is it coincidental that 'vicious' psyches almost without exception occur 3rd in hand? Almost certainly a win-win situation as partner is unlikely to take too much of a forcing action as partners limit is 11 points. West took a degree of risk being equal vulnerability, however it worked!

Richard Hills' comments:

The late and great Maurice Harrison-Gray, in his seminal articles on the Losing Trick Count, noted that an extra trick was there when holding four-card trump support instead of only three-card trump support. So the East hand, with only three-card trump support, is not as powerful as it first seems. Furthermore, while imp scoring favours bidding a vulnerable game which has only a 37.5% chance of success, matchpoint scoring is skewed towards accumulating plus scores.

Ergo, I would have conservatively raised to 2♠ myself. I therefore would have classified the 1♠ opening a Green Psyche, since I consider the 2♠ response to be entirely normal.

But.....

The problem with the EBU Green Psyche regulation is that it is inconsistent with this WBF advice in the Code of Practice (page 8):

A partnership may not defend itself against an allegation that its psychic action is based upon an understanding by claiming that, although the partner had an awareness of the possibility of a psychic in the given situation, the partner's actions subsequent to the psychic have been entirely normal. The opponents are entitled to an equal and timely awareness of any agreement, explicit or implicit, since it may affect their choice of action and for this reason the understanding must be disclosed.

Tim Rees' comments:

If East had had 4-card support, then the psyche would be Red. With only 3-card support, 2♠ is acceptable. As he had other acceptable options (in particular, 2♣), I think the Amber classification is correct.

Final summary by editor:

Amber seems generally acceptable to the commentators.

APPEAL No 15: Should I protect?

07/062 Brighton first weekend

Tournament Director:

Martin Lee

Appeals Committee:

Jeremy Dhondy (Chairman), Derek Oram, Cros Crosswell

Swiss Pairs Board no 31 Dealer South N/S vulnerable	♠ 10 8 7 5 4 ♥ Q 10 ♦ Q J 3 ♣ Q J 10										
♠ 9 6 ♥ J 7 2 ♦ K 9 ♣ A K 9 6 4 3	<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>		♠ A 2 ♥ 8 6 5 4 3 ♦ 8 6 4 2 ♣ 7 5
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<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠ K Q J 3 ♥ A K 9 ♦ A 10 7 5 ♣ 8 2										

Basic systems:

North-South play 2 over 1, 15-17 NT, 5-card majors

East-West play weak NT, 4-card majors

WEST	NORTH	EAST	SOUTH
			1NT
3♣	P(H1)	P	Dbl
P	3♠	P	P
P			

(1) Questions from North as regards the 3♣ bid – see below. Agreed hesitation before the pass beyond requisite 10 seconds.

Result at table:

3♠ ✓ by North = NS +140, lead ♣7

Director first called:

At end of hand

Director's statement of facts:

The TD was called by West to adjudicate whether the re-opening double by South was a normal action – no logical alternative after the agreed break in tempo and questions by North. The facts were not disputed. The TD asked South for his rationale for the re-opening double – he stated that this was always his intention after he saw the 3♣ bid, should his partner pass. He was maximum and had appropriate shape. He even considered upgrading his hand to an 18 count but he would then have had to open 1♦. North also mentioned that ‘to protect’ South needed to reopen as a direct double would have been take-out. The TD asked, as had North during the auction, what 3♣ meant. West stated that 2♣ was conventional and ‘he had to bid 3♣ to show clubs’.

Director's ruling:

Score assigned for both sides:

3♣ - 2 by West = NS +100

Details of ruling:

Player received UI from partner by way of the questions and break in tempo. (Laws 73C, 73F1)

Appeal lodged by:

North-South

Basis of appeal:

Double is automatic

The 3♣ bid was wide ranging.

Comments by East-West:

After the hesitation it is likely North has the majority of the outstanding points, i.e. 8 to 12.

After a pass in tempo, there is no information about respective strength of North and East hands.

Appeals Committee decision:

Table score reinstated

Deposit returned

Appeals Committee's comments:

South was in receipt of UI, however his call was considered as more than 70% action for a player of his standard.

Alain Gottcheiner's comments:

I guess it could be argued both ways: the reopening double is quite normal, but it was indeed helped. So the AC should have investigated by asking some players, rather than decided on their own whether pass was a LA.

Barry Rigal's comments:

Since N/S play a double by North of 3♣ as take-out, then South has a normal reopening action here.

Bob Schwartz's comments:

If it hesitates shoot it!! North had every right to ask. South has an automatic reopening. AC got it right. Director should have been called when the double was made not after the hand was over. Director should never have been called after looking at the South hand. In other words – if I was West I would ask my opponents if they agreed to a BIT and after the hand upon seeing South's hand – proceeded to the next board. Someone needs to give West a crying towel.

David Stevenson's comments:

This seems a straight decision as to whether pass is an LA. Interestingly enough, by the time this booklet is published, the 2007 Laws will be in force with a definition of LA which differs from the one used by the EBU at the time. This AC had to decide whether Pass was a 30%+ action for South's peers, and allow double if it was not. They decided it was not a 30%+ action.

But if the appeal was a year later, they would have had to decide whether a significant number of South's peers would consider pass, of whom a number would choose it. They might have decided differently.

Frances Hinden's comments:

I agree with the AC.

Heather Dhondy's comments:

Is it ever normal for a 1NT opener to take a 2nd action after partner has shown nothing? If so, then it is surely normal on this pure, maximum hand. However some danger has been removed by the actions of North and South now knows that it is the winning call. It's a close call, but the South hand is so attractive for the reopening that I would allow it.

Jeffrey Allerton's comments:

As the hesitation clearly suggests doubling over passing, the only question left to answer is whether pass is a logical alternative. This seems an ideal situation for the TD to perform a poll of South's peers; if the TD does perform a poll then the AC should normally accept the result unless the basis of the poll was invalid. In an internet forum poll, 87% of respondents doubled. At the time of this ruling, an action suggested by unauthorised information had to have at least 70% support to be allowed, so this poll supports the AC's decision. With effect from 1st August 2008 we are adopting the 2007 Laws in England. Under the new Law 16B1(b) "a logical alternative action is one that, among the class of players in question and using the methods of the partnership, would be given serious consideration by a significant proportion of such players, of whom it is judged some might select it". This definition is a lot stricter, so if the same situation were to occur in 2009, the TD/AC should probably disallow the double.

Jens Brix Christiansen's comments:

The committee is ruling that pass is not a logical alternative for South, using a 70% yardstick for that judgement. In Denmark (under the 1997 laws), pass would be considered a logical alternative unless only an insignificant minority of players (say 10-15%) at South's level using South's methods would choose it. I suspect that in Denmark, pass would have been judged to be a logical alternative, and the score would have been adjusted.

Under the 2007 laws, Law 16B1b now defines logical alternative in greater detail, thus presumably reducing the scope for interpretation. It would be interesting to know whether an English committee would have adjusted the score under the 2007 laws.

Nakatani Tadayoshi's comments:

Director got this case correct and AC erred. When you receive UI from your partner, you must avoid taking an action suggested by this UI. I believe pass is definitely a logical alternative in this position, especially after a hesitation by your partner.

Paul Lamford's comments:

I agree with the AC. The takeout double is automatic.

Richard Grenside's comments:

Has not South bid his hand with the 1NT? I would suspect that had the director consulted that the majority decision would be 'Pass'. North has found an easy option, whilst he knows he has an 8 count there is a better way to show it, think first, then ask questions, then Pass, then after partners (forced!) re-opening double, bid 3♠ knowing that partner will not raise to 4. Easy game, wish I had thought of this first. Perhaps I am a cynic, or perhaps I have been in the game too long. I agree with the director.

Richard Hills' comments:

"70% action for a player of his standard?" It used to be standard advice in the standard textbooks that the standard required of a 1NT opener was to relinquish captaincy of the auction to partner. Given that a 1NT opening bid narrowly describes shape and strength, Captain Pard might decide that -130 defending 3♣ was better than -570 defending 3♣x or -500 declaring 3♠x.

Tim Rees' comments:

This one depends on how good a player South was. It could well be that the TD and AC were both right in their rulings. The TD rules in favour of the non-offending side, then South presents a convincing case to the AC on the merits of his action.

EBU Laws & Ethics Committee comments:

Modern style is that the South hand has a reopening double even opposite a hesitation.

Final summary by editor:

More agree with the AC than not, yet I have a sneaking admiration for Richard G's view: the best way to show the North hand is to ask, hesitate and pass, if we then allow a re-opening double.

APPEAL No 16: Trump support ain't what it used to be.

07/063 Brighton first weekend

Tournament Director:

Mike Amos

Appeals Committee:

Chris Dixon (Chairman), Michelle Brunner, Jeffrey Allerton

Swiss Pairs Board no 13 Dealer North all vulnerable	♠ Q 7 4 2 ♥ K 9 6 4 ♦ J 9 6 5 3 ♣ --										
♠ 8 5 3 ♥ J 10 8 2 ♦ 8 7 2 ♣ Q J 8	<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>		♠ A 9 6 ♥ A 5 3 ♦ 4 ♣ K 10 9 6 5 2
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<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠ K J 10 ♥ Q 7 ♦ A K Q 10 ♣ A 7 4 3										

Basic systems:

East-West play natural

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
	P	1♣	Dbl
P	1♥	2♣	2♥(1)
P	3♦	P	5♦
P	P	P	

(1) South agreed he thought for some time.

Result at table:

5♦✓ by North = NS +600

Director first called:

After match was completed

Director's statement of facts:

The TD was approached by E/W after the match who said that they had only just realised North had bid on 6 points after South's slow 2♥ bid.

The TD questioned N/S. South agreed that he had thought. His 2♥ bid showed extra values – North might have zero points. After 2♣ a NT contract was not going to succeed. North said her hand was excellent. She had shown no points and after her partner's 2♥ bid she hoped for game. She had support for three suits.

Director's ruling:

Table result stands

Details of ruling:

Pass not a logical alternative. (Law 16A2)

TD believed that North had the strength to make a positive call of some sort.

Appeal lodged by:

East-West

Comments by North-South:

North said it was clear to bid again after partner's voluntary second bid. It was their normal practice to bid hearts before diamonds with 4 hearts and 5 diamonds.

Comments by East-West:

Claimed that North's 3♦ bid was influenced by the hesitation.

Appeals Committee decision:

Score assigned for both sides:

4♥ - 2 by North = NS -200.

Deposit returned

Appeals Committee's comments:

North had logical alternatives of 3♥ and 4♥ on second round. Decision to bid 3♦ could be influenced by hesitation which suggested fewer than 4 hearts with South.

Alain Gottcheiner's comments:

I'll be very harsh on the AC this time.

First, it's claimed that the hesitation suggested strong values and therefore North couldn't bid. Then it was claimed – by the AC – that the hesitation suggested shortish hearts and therefore North had to bid 4♥. Isn't that a bit ridiculous? Next time, North will hold a bit less, South too, and they'll tell us North has to bid because the hesitation suggested 2♥ was on the light side.

The question isn't 'did the hesitation suggest anything?', but 'did the hesitation unmistakably suggest that some course of action would be more successful?'. Nearly every time the chosen bid is constructive but not forcing, the answer will be to the negative.

But the fact that South held a doubleton heart was so much of a surprise to me that I find it insulting to say North guessed it.

I've made a little polling myself. 3 votes for 2♠, 2 for 3♦, 3 (including mine) for 3♣. None for pass. None for any heart bid. So the final contract could only be 4♠ or 5♦ (will 4♠ make? I think so).

The AC shouldn't state and insist on what LAs are, they should investigate.

Barry Rigal's comments:

Oh dear, oh dear, oh dear. Let's go through the rules starting from the very beginning, apparently a very good place to start. If we determine that the 2♥ bid is slow, and we have, what exactly does it demonstrably suggest? I think it suggests extras (in an auction where raising in competition does NOT show extras). Therefore given that North might have passed 2♥ and did something that worked better, we revert the contract to 2♥ – and it was deemed that 4♥ should go down two, so 2♥ would make; there is little justification for forcing North to raise hearts as opposed to making the game-try that he did. In fact the analysis of what should happen in 2♥ is complex, but this is the contract that should have been under consideration. Both the Director and AC completely missed the point here. You can't force the offenders to raise hearts even if you are giving them the worst of it.

Bob Schwartz's comments:

Sorry AC, how does the hesitation suggest that South has less than 4♥?? South could be thinking of many things (Pass, 2♥, 3♥, 4♥, 3♣, 2NT (my choice by the way), 3NT) To rule that it showed less than 4♥ is not bridge, North's 3♦ bid is fine. Result stands. No merit to the appeal.

David Stevenson's comments:

This really does depend on what the agreements are. In my partnerships, 2♥ show slight extra values, or better, and four hearts, and I would find any call other than 4♥ very strange. So I seriously dislike a 3♦ bid after a slow 2♥ which might not have what he had shown.

But if 2♥ does not show four hearts, that changes things materially. Again, I have conducted a private poll: a large majority show four hearts by bidding 2♥, but there was a minority that did not.

What would double have meant? Surely a strong hand with no good bid? South could even have bid 2♦. His choice of 2♥ looks very strange. While the Rule of Coincidence has been debunked as having no merit, it seems very strange that he can make such a strange bid slowly yet land on his feet.

My sympathy is with the AC's view.

Eric Landau's comments:

I'd have upheld. Passing 2♥ is not a logical alternative to 3♦ for any but the most inexperienced player. But neither is rebidding hearts on K9xx. North's sensible calls over 2♥ are 2♠ (which could even lead to a lucky make in 4♠) and 3♦. It's a huge stretch to imagine that N/S might somehow reach 4♥ (if the AC was out to punish N/S, 3NT -3 would have made more sense). This is similar to #10; either North's continuing over 2♥ was based on the UI (in which case we award the score for 2♥ by North) or it wasn't (in which case the table result should stand).

Frances Hinden's comments:

The AC decision is possibly a little harsh, but (in spite of the amount of argument this ruling generated) reasonable.

Heather Dhondy's comments:

I am not sure why 2♥ would show extra values since with 4-card support you might want to compete over 2♣. However they seem clear that this is their method. What would be expected, however, is 4-card support, since with fewer than 4 it would be normal to make a 2nd double. Therefore if North is going to bid on, 3♥ or 4♥ would be normal. 3♦ as a game-try might be acceptable however it is clear from North's comments that that was not how she intended it. It seems probable that she viewed her partner had fewer than 4♥ from her comments and this view can only have come from the tempo break.

Jeffrey Allerton's comments:

The Appeals Committee considered that:

1. There was unauthorised information from the slowness of the 2♥ bid.
2. Raising the suit partner has bid at the 1-level in response to a take-out double shows 4-card support.
3. If South, a very fine player, had possessed a hand worth a raise to 2½♥ he would just have made a quick decision one way or the other and bid accordingly.
4. The pause must suggest that South has an unbidable hand in the partnership's methods. Given that a take-out double of 2♣ was apparently not available, the unauthorised information from the pause demonstrably suggested that the 2♥ bid might not contain 4-card support after all.
5. Law 16A states that:

After a player makes available to his partner extraneous information that may suggest a call or play, as by means of a remark, a question, a reply to a question, or by unmistakable hesitation, unwonted speed, special emphasis, tone, gesture, movement, mannerism or the like, the partner may not choose from among logical alternative actions one that could demonstrably have been suggested over another by the extraneous information.

In this case, North's logical alternatives suggested by the unauthorised information were 2♠ and 3♦, these being suggestive of an alternative strain and catering for the South hand lacking 4-card heart support. Potential actions not suggested by the unauthorised information were Pass, 3♥ and 4♥.

6. Therefore, North's call of 3♦ was a breach of Law 16A (and also Law 73C).
7. We were required to award an assigned adjusted score under Laws 12C2 and 12C3.
8. Given the stated N/S method of playing the 2♥ bid as 'constructive' and North's comment about being completely maximum for her 1♥ bid (we agree with her hand valuation), we believe that she would not Pass or bid 3♥; bidding game in the 'known' 8-card fit is the only likely legal action at this point.
9. It looks as though North will be able to scramble 8 tricks in hearts.
10. Therefore: assigned score for both sides: 4♥ -2 by North.

Jens Brix Christiansen's comments:

North's 1♥ does not even begin to show the full playing strength of the hand, so it is clear to me that passing 2♥ cannot be a logical alternative for North. Normally I would think that the hesitation before South's 2♥ would not convey doubt about the denomination, but rather about whether South's hand was worth a competing bid. South could have shown doubts about a ♥ contract by means of a second double, 2♦, or 2NT, depending on N/S's methods; so normally I would not rule North's 3♦ as an infraction. However, I do see the point that North "fielded the hesitation", so to speak, which supports the AC's ruling that the hesitation indicates that 3♦ is likely to create a better result for N/S with a bid in ♥ as a logical alternative, so I have no quarrel with the AC's ruling. It might also be worth considering whether the adjusted score should be based on 5♥, ruling that the pass to 5♦ is a further infraction by North.

Nakatani Tadayoshi's comments:

This time director was wrong. Of course North had the strength to make a positive call of some sort but not a call to search for another trump. South's 2♥ call after the hesitation suggested insufficient trump length as AC pointed out. If 2♥ call were in tempo, I am sure more than 90% of the players would bid 4♥ straight.

Paul Lamford's comments:

South's hesitation did not demonstrably suggest one bid over another for North. Holding fewer than three hearts was only one possible reason for the BIT, but an unlikely one established with hindsight. The AC considered that North might have bid 3♥ or 4♥. Only at a Christmas Social with special rules where you are not allowed to bid more than one suit would I agree. South's 2♥ is an odd bid, but that should not influence our ruling one iota. He could have been thinking of calling Double, Pass, 3♥ or 3♣. Only novices bid 1♥ – 2♥ – 3♥ – 4♥; most players tend to complete the description of their hands; 3♦ is natural, implies only four hearts, and a maximum for the bidding to date. 2♠ is the other bid I would consider on the North hand but that suggests five hearts (Pass is not a logical alternative as the club void is gold dust – even on the actual hand where South has the ace). I cannot agree with the first sentence of the AC comments, and they leave out the necessary addendum that 3♦ needs to be demonstrably suggested. Instead they conclude that it "could be influenced". They should have known that this is not enough to adjust.

Richard Grenside's comments:

If the consensus by 'players' is that North has a further action, then where is the problem? I am slightly perplexed, North has a great hand, void in Clubs and a support from partner. Why would North introduce a lousy diamond suit unless he was apprehensive of partner's raise? I could understand a 3♣ bid, showing an interest in game. North has taken out insurance due to the uncertainty of the slow 2♥, I adjust even though I have concerns over the delay in calling the director.

Richard Hills' comments:

While the Appeals Committee was correct to adjust the score, the adjustment was incorrect. In addition to 4♥ - 2, another plausible contract (if North re-raises 2♥ to 3♥) is 3NT -300, so a weighted score should have been assigned.

Tim Rees' comments:

The TD was right in one thing – pass is not a logical alternative. He seems to have stopped there, and not considered other actions. The AC look to have got it right in saying that 3♥ and 4♥ are logical alternatives.

Appeal to the National authority:

The Committee found that there was conflicting evidence regarding questions that may have been asked during the appeal.

The Committee found that the Appeals Committee had been correct to consider whether North had used unauthorised information in deciding what to bid. In particular it was believed to be clear to North that South's hesitation indicated that four hearts were not held.

The Committee concluded that the ruling to award 4♥ - 2 may or may not have been correct. There were several other possible adjusted scores that the Committee may have considered awarding.

The Committee concluded that the award of the adjusted score of 4♥ - 2 did not amount to a grossly inappropriate value judgement. The result was left unchanged.

Final summary by editor:

This led to the most heated discussions at Brighton, partially because everyone's opinion was asked. Similarly, the majority view amongst the commentators is that the AC got it right, but the other views were strong and not to be ignored.

To paraphrase John Probst, an English TD, "What do you think North would have bid over a fast, happy, 2♥ by South?" My view is that North would have bid 4♥.

APPEAL No 17: Clear enough!

07/064 Brighton first weekend

Tournament Director:

Eddie Williams

Appeals Committee:

Frances Hinden (Chairman), Martin Jones, Tom Townsend

Swiss Pairs Board no 14 Dealer East Love all	♠ Q J 9 3 2 ♥ A Q 4 2 ♦ 10 8 5 ♣ K	
♠ 10 6 5 ♥ K J 8 6 5 3 ♦ Q ♣ 10 9 4	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ A 8 4 ♥ 10 9 7 ♦ A J 7 3 ♣ Q 6 5
	♠ K 7 ♥ ♦ K 9 6 4 2 ♣ A J 8 7 3 2	

Basic systems:

North-South play weak NT, 4-card majors

East-West play weak NT, 5-card majors

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
		P	1♣
2♥	2♠	3♦(A)	P
3♥	Dbl	P	3♠(H)
P	4♠	P	P
P			

Result at table:

4♠✓ by North = NS +420, lead ♥10

Director first called:

At end of hand

Director's statement of facts:

The TD was called to the table at the end of play by West. West made 2 points. First South's hesitation before bidding 3♠ and whether North now had his 4♠ bid. Second that North's double after 3♥ should be alerted if for penalty. East added that he would not have led a heart if the double had been alerted.

Director's ruling:

Table result stands

Details of ruling:

The TD ruled that North would always bid 4♠. After some discussion with N/S and a look at their convention card the TD decided that the double after 3♥ was not alertable as it was for take-out.

Appeal lodged by:

East-West

Director's comments:

The N/S convention card whilst explaining their agreements for double can be misinterpreted. But the TD is still convinced that North's double after 3♥ was for take-out. The TD did ask West if he had looked at N/S convention card during play of the board and he had not.

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

It was clear to us from the convention card that the double was systematically for take out.

The hesitation before the 3♠ bid does not demonstrably suggest bidding 4♠.

Deposit returned due to confusion over interpreting the convention card. Once we agree with the finding of fact (double = take-out) the rest of the ruling follows quickly.

Alain Gottcheiner's comments:

East's comment about the lead is of the 'self-serving' type. 110% would lead a heart. The AC made a good job of investigating the double, but finding it showed hearts wouldn't have changed the ruling. And it would have made the 4♠ bid obvious after partner took out a penalty double.

And the hesitation could be caused by anything (less than good fit, extra values, wanting to leave it in –well, not when we see North's hand, but it could be), so North's options aren't restricted.

Barry Rigal's comments:

Take the money (deposit) and run! Yet again, people chasing after imps they cannot earn at the table.

Bob Schwartz's comments:

What was West going to lead if alerted that double was penalty (East is on lead)?? East is going to lead the Diamond ace?? Give me a break. Keep the deposit.

David Stevenson's comments:

If a slow 3♠ suggests anything, surely it suggests that 4♠ is wrong? I cannot see much merit in the appeal, though I might just return the deposit if E/W had talked convincingly and seemed confused enough.

Heather Dhondy's comments:

If the double is agreed for take-out then E/W have no redress regarding the lead.

The raise to 4♠ seems clear given the values in the North hand which look well-placed and the king of clubs is obviously huge.

Jeffrey Allerton's comments:

I agree with the AC, although I am a little surprised that they did not keep the deposit.

Nakatani Tadayoshi's comments:

I am not quite convinced that the double of 3♥ was systematically for take-out, but as long as director and AC both ascertained it as take-out, I accept the ruling (whether after hesitation or not, North has full value to bid 4♠ after partner's 3♠).

Paul Lamford's comments:

A good job by both TD and AC on the finding of fact and the resultant ruling.

Richard Grenside's comments:

The claim by West that the X should have been alerted would be grounds enough to fine for a frivolous call for the director. What the thoughtful 3♠ has to do with UI is beyond me, table result stands, deposit forfeited.

Richard Hills' comments:

"If it hesitates, shoot it?" Not so. South's hesitation demonstrably suggests spades might be the wrong denomination. Ergo, 3NT is the bid suggested by the hesitation, while 4♠ is not suggested and therefore legal.

Robin Barker's comments:

Once the apparent confusion over the convention card was resolved there was not much to this.

Tim Rees' comments:

This one depends on the systemic meaning of the double of 3♥. As I haven't seen the convention card or heard the arguments, I can't comment further.

Final summary by editor:

Another waste of time. Quite a fair amount of support for keeping the deposit.

APPEAL No 18: Unusual unusual no-trump

07/065 Brighton first weekend

Tournament Director:

Jim Proctor

Appeals Committee:

Chris Dixon (Chairman), Jon Cooke, Neil Rosen

Swiss Pairs Board no 14 Dealer East Love all	♠ Q J 9 3 2 ♥ A Q 4 2 ♦ 10 8 5 ♣ K	
♠ 10 6 5 ♥ K J 8 6 5 3 ♦ Q ♣ 10 9 4	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ A 8 4 ♥ 10 9 7 ♦ A J 7 3 ♣ Q 6 5
	♠ K 7 ♥ ♦ K 9 6 4 2 ♣ A J 8 7 3 2	

Basic systems:

East-West play 1♣ = 2+ Natural or balanced

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
		1♣(A)	2NT(A)
P(1)	4♥	P	P
Dbl	P	P	5♣
P	5♦	Dbl	P
P	P		

(1) West asked, told lowest 2 unbid suits

Result at table:

5♦x - 1 by North = NS -100

Director first called:

At end of auction

Director's statement of facts:

The TD was recalled at the end of play.

Director's ruling:

Table result stands

Details of ruling:

No logical alternative. (Law 16A)

Appeal lodged by:

East-West

Basis of appeal:

Pass is logical alternative

Comments by East-West:

Claimed that South should 'take his medicine' after West had made it clear that there had been a misunderstanding.

Appeals Committee decision:

Score assigned for both sides:

4♥x – 3 by North = NS –500

Deposit returned

Appeals Committee's comments:

We consider that had South not realised a misunderstanding, pass of 4♥x was a reasonable and logical action opposite unpassed partner.

We do not consider that West's double of 4♥ is a wild and gambling action assuming that South thought his bid showed minors. N/S not in attendance.

Alain Gottcheiner's comments:

It is perfectly proper for West to double, knowing there was a misunderstanding and South couldn't correct the contract. It's taking advantage of opponents' expected problem, like changing one's line of play when there is a penalty card. Only, South did correct. Was it obvious?

East is prone to opening light (he just proved it), North could have great length in hearts and West's double might be unsound, which brought together mean passing is more than a LA. You're allowed to decide to overrule partner's decision and jump into the fire, but the UI made it less scalding.

Notice, also, that the explanation wasn't made in the right form. North should have named the suits.

Barry Rigal's comments:

I do think that there is no logical alternative to removing with a void, and West should have known that with six hearts South had a two-suiter excluding hearts, and that he would remove. I would have let the table score stand. (I'm sure that my ruling may not fit the Laws but I believe South can infer what has happened from AI not UI.)

Bob Schwartz's comments:

North explained 2NT as the lowest 2 unbid suits and then passed the double. South to his credit passed the initial 4♥ bid, but then fell from grace when West doubled. South's bid of 5♣ is worthy of a procedural penalty!! What was the TD thinking of? West, however, deserved to have North awakened to the possibility that South had the minors – North awakened NOT South.

David Stevenson's comments:

Fair decision by the AC.

Frances Hinden's comments:

I agree with the AC. The hardest part of the ruling is deciding how many tricks 4♥x should make, but seven looks right after the normal trump lead.

Heather Dhondy's comments:

South has acted on the UI that partner has misinterpreted the 2NT bid. Since partner is not a passed hand, his 4♥ bid and subsequent passing of the double can easily be intended as to play facing the minors.

Jeffrey Allerton's comments:

The TD misjudged this one; he overlooked the fact that North had shown a very long heart suit on the authorised auction. I consider Pass to be the *only* logical alternative for South, assuming that he believes he has already shown 5-5 in the minors. Well done to the AC for correcting this misjudgement, though I would have like to have also seen a procedural penalty given to South for this misuse of unauthorised information.

Nakatani Tadayoshi's comments:

South had no valid bridge reason to judge that 5♦ is better than 4♥ for N/S. Wrong ruling by director corrected by AC.

Paul Lamford's comments:

I agree that Pass of 4♥x is a logical alternative. South has quite a good hand for hearts, apart from a shortage of trumps. Minors such as QJTxxx would have been much worse. And it is too harsh to give any percentage of 4♥x-4 on the best double-dummy defence of a low diamond lead by East when the defence get all their diamond tricks while the clubs are blocked! So 4♥x – 3 it is.

Richard Grenside's comments:

Interesting that South passed the first time, yet bid the second time. Was this a case of panic? Or has South a strong case for knowing that partner has misunderstood his 2NT, thinking that the 1♣ opening was natural? I would have liked to hear what N/S had to say for themselves, such a pity the director did not explain to N/S that it would be in their best interest to attend the hearing. In their absence, the worst case scenario is a strong consideration for the Appeals Committee, 4♥x – 3 by North.

Richard Hills' comments:

Why did the Director rule there was no logical alternative to removing 4♥x? Has the Director never held an eight-card heart suit?

Robin Barker's comments:

I hesitate to comment because I was consulted on the original ruling. I think that it is general bridge knowledge that if you overcall a short club with 2NT, intending to show the minors, partner may interpret this as diamonds and hearts; so I still think Pass is not a logical alternative.

Tim Rees' comments:

Pass does appear to be a logical action, as an unpassed partner can easily have long hearts. Were N/S invited to attend the appeal and chose not to? That would have reduced their chance of winning.

Final summary by editor:

Most agree with the AC.

Pairs are always invited to attend ACs. If there was a difficulty of some sort it should be noted on the form – see Case 4 – so we can assume N/S chose not to attend.

APPEAL No 19: What's the double?

07/066 Brighton second weekend

Tournament Director:

James Vickers

Appeals Committee:

Frances Hinden (Chairman), Rob Cliffe, Jeff Smith

Swiss Teams Board no 12 Dealer West N/S vulnerable	♠ 9 2 ♥ ♦ K 10 9 8 7 ♣ A K J 10 9 3	
♠ A 7 ♥ K Q 9 6 ♦ Q 6 5 4 3 ♣ 7 6	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ K Q 10 6 5 4 ♥ J 7 2 ♦ A ♣ 8 4 2
	♠ J 8 3 ♥ A 10 8 5 4 3 ♦ J 2 ♣ Q 5	

Basic systems:

North-South play two-way club

East-West play Basic Acol

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
P	1♦	1♠	2♥(A1)
P	3♣	P	3♦
Dbl(2)	P	P	P

(1) Alerted, natural, non forcing

(2) Not alerted

Result at table:

3♦x – 3 by North = NS –800, lead ♠K

Director first called:

Several boards later, before end of round

Director's statement of facts:

Although North did not call the TD until later in the round, he had indicated his desire for a ruling at the end of the play of the hand.

North explained the auction and asked whether the double should have been alerted. He asked for an explanation at the end of the auction. East said 'Good question, we are not a regular partnership, I would double for penalties in that situation but I know my partner plays more take-out doubles than I do' (paraphrase).

North maintained that had the double been alerted to indicate that it was for penalties rather than for take-out he would have removed to 4♣.

Director's ruling:

Table result stands

Details of ruling:

While an alert of the double would have been helpful, North should have been aware of the likely nature of the double and failed to protect himself by asking at the appropriate time.

Note by editor:

The EBU has simplified its alerting procedures for doubles of suit contracts below 3NT: now if a double is for takeout it is not alertable, if it has any other meaning it is alertable: the logic of the auction is irrelevant.

Appeal lodged by:

North-South

Basis of appeal:

Failure to alert constituted MI and caused damage.

Director's comments:

East should have alerted had he been unaware of their agreement (OB 5B10) (or possibly not if the penalty nature of this double is a 'general bridge inference' and they have no agreement (OB 5B9)), but North should be aware that the agreement is unlikely to be take-out (all suits having been bid naturally) and had an opportunity to ask at that turn without putting his side's interests at risk (OB 5H1).

Comments by North-South:

E/W are not beginners and could be expected to know the alerting regulations.

South: there is no reason why West could not be showing a heart suit.

North: I couldn't ask about the double for fear of alerting E/W to the fact that they had no agreement about the double.

Comments by East-West:

The double cannot possibly be for take-out by a passed hand, all suits having been bid naturally.

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

There was an infraction (failure to alert) but TD's decision that North knew enough to protect himself by asking we agree with.

Deposit returned because we agree it is alertable, hence N/S have a case.

Barry Rigal's comments:

OK, now I've totally lost it. There was NO infraction. West passed at his first turn to bid and then doubled for penalty when ALL FOUR SUITS HAD BEEN BID, AND HE HAD DENIED SPADE SUPPORT BY PASSING INITIALLY! What suits, pray, was he expecting his partner to remove to when he had passed over 2♥? Hippogriffs? Regardless of the alerting procedure, common sense tells everyone at the table that double cannot be for take-out. And North's attempt to try this on was deplorable.

Bob Schwartz's comments:

Keep the money!!!! North creates the problem by opening 1♦, rather than 1♣ – this isn't even close. North says he would bid 4♣ after partner takes a preference – baloney. West's double is CARDS CARDS CARDS – period as a passed hand facing an overcall. It does not require an alert, therefore KEEP THE MONEY.

David Stevenson's comments:

No merit whatever. Sure, double was alertable, but that does not give the appeal any merit.

Eric Landau's comments:

N/S are presumably not rank beginners (they are apparently familiar with the alerting rules), and should be able to recognize an obvious penalty double when they see one (the remark in "Comments by East-West" is spot on). Moreover, North's assertion that he has a clear pull to 4♣ over a penalty double (why couldn't South hold J83/A108543/QJ2/5?) seems almost as specious as the assertion that he was "fooled" by the non-alert into thinking it was something else (what? hearts, after South tried to play in 2♥? not too likely!) in the first place. The whole N/S case seems to rest on the idea that because E/W committed a technical infraction of the alert regulations, N/S is automatically entitled to benefit somehow. I'd have kept the deposit.

Heather Dhondy's comments:

It is nonsensical to play a double as take-out in this situation. I would find it hard to believe that any of the players at the table really thought it was take-out at the time the bid was made, whether or not there was an alert. East could have done better with the explanation since he clearly believed that it was for penalties and bid accordingly. North should have called the director before the play if his bidding was affected.

Jeffrey Allerton's comments:

I agree with the TD and AC. According to paragraph 5.1 of The Orange Book:

The purpose of alerting and announcing is to draw the opponents' attention to any call by partner that may have a special meaning.

As E/W did not have an agreement, why should they be expected to alert? If North wanted to know about the double, he could have asked without putting his side's interests at risk.

Nakatani Tadayoshi's comments:

By 'general bridge knowledge', double of 3♦ in this sequence is definitely for penalty to me. So what's the problem?

Paul Lamford's comments:

I agree there was no specific agreement by East-West and East's explanation was full and frank. From a bridge point of view, I think North deserved the bad result for opening 1♦ rather than 1♣, but it is not our job to do other than rule on the laws aspect. North was given as full an explanation of E/W methods as they knew and I agree with the TD and AC decision.

Richard Grenside's comments:

I find it difficult to comment on the requirement to alert doubles. Whilst regulations are permitted re alerts, surely commonsense must prevail and surely players have some form of responsibility to protect themselves in cases such as this. I agree with the comment 'How can this X be takeout when all suits have been bid? Keep the money for a frivolous call for both the director and for the appeal.

Richard Hills' comments:

I agree that West's undiscussed double in the new partnership was obviously penalties, so therefore did not need to be alerted under Orange Book clause 5B9:

General bridge inferences, like those a new partner could make when there had been no discussion beforehand, are not alertable

Robin Barker's comments:

This is an issue with regulations where penalty doubles are alertable. The auction has reached the point where doubles are likely to be undiscussed and undiscussed doubles are likely to be for penalties. The regulations require such undiscussed doubles to be alerted but players find it difficult to do so.

Tim Rees' comments:

This appeal highlights one of the problems with the current alerting regulations. If a double is not alerted, this could mean either that it's takeout or that there is no agreement (OB 5B9). If there's no agreement, general bridge knowledge could suggest the double is penalties. The latter is the case here, so I'm not convinced the double is alertable.

The only way out of this is for N/S to ask the meaning of the double. This isn't ideal, as if North asks the meaning and is told takeout, then he passes, he is showing that he is not confident it's the best spot.

With the current regulations, I don't think there's an alternative to letting the table result stand.

Final summary by editor:

Several commentators thought the money should be kept, and no-one saw any reason why the AC was wrong. Probably the deposit should always be kept if our commentators are unanimous that the AC should uphold the TD, since that is rare enough!

A couple of comments were made about the 1♦ opening. Playing a Two-way club, such as Polish, as this pair was, the 1♦ opening was quite likely required by system.

APPEAL No 20: I would definitely have led a club if I had known

07/067 Brighton second weekend

Tournament Director:

Gordon Rainsford

Appeals Committee:

Heather Dhondy (Chairman), Tom Townsend, Liz McGowan

Swiss Teams Board no 24 Dealer West Love all	♠ K 7 5 ♥ Q 9 ♦ K 9 8 3 2 ♣ J 4 3										
♠ A 6 4 ♥ A 6 3 2 ♦ A 7 4 ♣ A K 9	<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>		♠ 10 8 2 ♥ J 10 8 5 4 ♦ Q ♣ 8 7 5 2
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<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠ Q J 9 3 ♥ K 7 ♦ J 10 6 5 ♣ Q 10 6										

WEST	NORTH	EAST	SOUTH
1♥	P	3♥(1)	P
3NT	P	4♥	P
P	P		

(1) 3♥ is preemptive. It is alertable but was not alerted, nor was a correction given before the opening lead.

Result at table:

4♥✓ by West = NS -420, lead ♦3

Director first called:

When dummy was first displayed and again at the end of play.

Director's statement of facts:

Another TD had been called after the opening lead and had confirmed that 3♥ bid is alertable (OB 5G2 (c)(3)). The TD was called at the end of play and North told me that if she had known that the bid on her left was preemptive and therefore the hand on her right was strong, she would have made a more passive lead.

Director's ruling:

Score assigned for both sides (Law 12C3):

25% of 4♥ -1 by West = NS +50

+75% of 4♥✓ by West = NS -420

Details of ruling:

The correct information about the 3♥ bid (i.e. an alert) would have increased the possibility of a more passive lead – a club. However a club lead is still only one possibility and a diamond might still be selected. Furthermore a club lead is not sufficient to defeat the contract – it needs an immediate spade switch when next in. Hence a weighted ruling (Laws 40C, 12C3).

Appeal lodged by:

North-South

Comments by North-South:

General agreements to lead passive into a very strong hand. More likely to make attacking lead if points more evenly distributed between E/W. If South gains lead, our agreement with QJ9 and 10 in dummy is to switch to the jack. With no 10 in dummy we play Q for attitude. Hence we believe we would have defeated 4♥ on a non-diamond lead.

Comments by East-West:

The sequence 1♥ 3♥ 3NT 4♥ indicates that opener has of the order 16-19 points and a 4333 shape as 3♥ in standard Acoll could be 6 or 7 points and a singleton. The opening leader should expect a strong hand as declarer.

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

We appreciate the arguments but don't feel that a club is a stand out. TD's ruling seems reasonable to us.

Alain Gottcheiner's comments:

Would you call a Club a passive lead, holding Jxx ?

Anyway, East has a point : the expected counts, against plain natural bidding, are about 17+7, because East's 4♥ bid showed his 3♥ bid was made on shape.

The TD's weighted score was in accordance with the principle of giving the non-offending side the benefit of the doubt; in my view, the contract will fail less than 25% of the time.

Barry Rigal's comments:

I would be embarrassed to come forth with such a demonstrable falsehood as North about the opening lead style – did they really expect anyone to believe that? But given the sensible TD allocated score (not especially generous to N/S but it was still reasonable) I see no reason to try to change the calculation.

Bob Schwartz's comments:

We do not use 12C3 in the ACBL—so here I would rule table result stands and ¼ board procedural penalty for failure to inform opponents prior to opening lead. I could however live with a split ruling of E/W – 50 for the infraction and N/S -420 as rub of the green.

Using 12C3 I agree with both the TD and the AC as well as with their reasoning.

David Stevenson's comments:

Since when is jack-third a passive lead? Considering that the auction showed a strong hand opposite a weaker hand anyway, and a lack of any obvious "passive lead", I think both TD and AC were conned. I would revert to table score.

However, while the TD was wrong to adjust, perhaps the AC was correct not to revert to table score. N/S appealed: E/W did not. So giving E/W something when they were not prepared to risk their deposit is not too reasonable. However, if this had been the AC's reason they would not have said what they did.

Eric Landau's comments:

This was a good and thoughtful decision by the AC. Were I to try to make the case that my national authority should reverse their decision not to permit ACs to use Law 12C3 (a Zonal option), I'd use this as an example of its merits.

Frances Hinden's comments:

I agree with the TD and the AC. If anything, the ruling is favourable towards N/S (as the non-offending side) as Jxx is hardly a passive lead.

Jeffrey Allerton's comments:

A sensible ruling by the TD, confirmed by the AC.

Jens Brix Christiansen's comments:

It is always possible to nitpick the weights used in the adjusted score, but let's not.

Nakatani Tadayoshi's comments:

The ruling by director supported by AC seems a bit too favourable to N/S but acceptable.

Paul Lamford's comments:

There is a big difference between 1♥ – 3♥ (limit) – 3NT and 1♥ – 3♥ (pre-emptive) – 3NT. In the former the opener will average around 16 HCP (don't forget the further one goes from 10 points the less frequent the hand); in the latter he will have a balanced 19 count. When East pulls to 4♥ he is probably distributional in both cases, so he is likely to have five hearts. A small diamond lead is much less likely into the 19-count (I would not have led it into the 16-count either). When East has a weak hand, then the king of diamonds is probably as good as a small one, but there is a huge amount of hindsight there. However a spade, or Zia's typical choice of the nine of hearts, playing his partner for Jx, also beats the contract. The only lead that lets it through is the small diamond. The duty is on East-West to alert, and the balance of doubt must be given to the non-offenders. This has not happened, and a minimum of 67% of 4♥–1 should have been substituted. And I would go up, rather than down, from that figure.

Richard Grenside's comments:

Isn't it strange that anytime a failure to alert has occurred resulting in a bad score that the players wish to replay the hand to salvage something out of the wreckage? E/W have committed an infraction in failing to alert an agreement that N/S stand no chance of knowing. Whether this is the cause of the bad score is debatable? Was a consultation process used? In the absence of any comment in this regard, the decision by the TD seems very appropriate.

Richard Hills' comments:

Since West failed to alert 3♥, and East also failed to advise that 3♥ should have been alerted before the opening lead, as Director I would rule that there was aggravated misinformation by East-West, and impose a standard procedural penalty.

Robin Barker's comments:

TD's ruling seems reasonable to me too.

Tim Rees' comments:

This is a good use of Law 12C3. The weighting is correct for the right reasons (West is strong, whatever the description of 3♥).

This kind of ruling shouldn't be appealed, as the AC is very unlikely to modify the weightings. We should be moving towards a situation where we keep the money for a significant proportion of appeals against 12C3 rulings. It could be that the players need to be educated first, so that they understand the rationale behind Law 12C3.

Final summary by editor:

Not for the first time, I seem to be in a minority of one. I still do not believe a word North says 😊

If you agree that N/S have been damaged, it is an excellent example of why Law 12C3 is useful, as several point out.

As to a consultation process, it is completely automatic with English TDs to consult over judgement rulings. In fact, at Brighton, my main job so to act as a consultant to other TDs. So it is not normal to indicate on the form that consultation took place: it is assumed.

APPEAL No 21: I am sure he has a weak two – goodness!

07/074 Brighton second weekend

Tournament Director:

Ian Spoors

Appeals Committee:

David Burn (Chairman), Frances Hinden, Michael Byrne

R/R Teams Board no 16 Dealer West E/W vulnerable	♠ K Q J ♥ A K Q 10 8 2 ♦ 7 2 ♣ K Q	
♠ 9 8 7 4 ♥ J 7 6 ♦ 6 5 ♣ J 8 6 5	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ 10 5 3 2 ♥ 5 3 ♦ Q J ♣ 10 7 4 3 2
	♠ A 6 ♥ 9 4 ♦ A K 10 9 8 4 3 ♣ A 9	

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
P	2♣(A1)	P	3♣(2)
P	3♥(A3)	P	6♦
P	7NT	P	P
P			

- (1) Acol 2♣ or weak 2♦ or 8 playing tricks
- (2) Artificial game force over weak 2♦. Not alerted, enquiry
- (3) Shows max weak 2♦, including 2 of AKQ.

Result at table:

7NT ✓ by North = NS +1520

Director first called:

At end of hand

Director's statement of facts:

No questions were asked during the auction. E/W suggested that the alerts and failure to alert may have given rise to useful UI.

Director's ruling:

Score assigned for both sides:

6♦ + 1 by South = NS +940

Details of ruling:

The 3♥ bid is AI that there may be a potential misunderstanding. The failure to alert 3♣ suggests that North has an Acol 2♥ (this is UI). South chose from among logical alternatives a call which minimizes the risk of playing somewhere silly but gives up on higher contracts. If she bids, for example, 4♦ North with a minimum Acol 2 will bid 4♥. Now 6♦ is reasonable and North can scarcely bid on. The TD could develop the auction slowly in other ways with the same outcome.

Appeal lodged by:

North-South

Appeals Committee decision:

Table score re-instated

Deposit returned

Appeals Committee's comments:

We do not believe the TD was right to consider South's actions. She seems to have raised a weak 2♦ to six. North's 7NT can't be said to have taken an action suggested by UI, because it isn't clear that he has any.

Alain Gottcheiner's comments:

The TD implied that South's 6♦ bid was taking into account a possible misunderstanding. Well, South is allowed to sniff it, because the 3♥ bid is in a way 'impossible' according to A3. I've seen players explain partner's 4♣ bid as Namyats, then pass it because they held too much in hearts.

Anyway, after South's very strong bid (game force facing QJ10xxx and a King!), North should go all the way up to 9NT. And North has full rights to realize 3♣ wasn't natural, even if he first thought it was, because the 6♦ bid is incompatible with that.

Barry Rigal's comments:

The AC put right the TD adjustment. As they said, there was no logic to his adjustment.

Bob Schwartz's comments:

This could be one of the more interesting cases I have come across. Clearly there is UI to South from the failure to alert 3♣. Also clear to South is the fact that something is wrong here – because the 3♥ bid is impossible given what it is supposed to show – this is authorized information. Is South now allowed to resolve potential problems by leaping to 6♦ – supposedly ending the auction? I have my doubts on that, but if South takes time to consider what hand North could actually have – he should not bid 6♦ and 7NT might well be reached. South, however, chose to bid 6♦ – I think taking advantage of the failure to alert which is an infraction. Now, from North's point of view. The alert of 3♥ is clearly UI. Did the 6♦ bid awaken him to what he had supposedly shown, ie a weak 2♦ bid with 2 of top 3? (as an aside – what did he think 3♥ showed? A strong hand in hearts? Did the alert of 3♥ suggest something?) In any case I doubt bidding 7NT is suggested by any of the above, and it is somewhat crazy—and downright lucky to be making. I like the AC ruling far better than the TD ruling. I don't like South's action at all. I don't like North's bid – but think he should bid something. Bottom line-table result stands and I might give South a Procedural penalty.

David Stevenson's comments:

South made an artificial bid which is therefore alertable. North failed to alert it providing UI to South. How can the AC say that TD is wrong to consider South's actions? How else do we rule in UI cases except by considering the actions of the player in receipt of UI from partner?

I think the TD's reasoning quite reasonable. However, it is a complex hand.

Eric Landau's comments:

The AC was right to overrule and restore the table result. Any UI North may have had came after South's 3♣ response. Knowing legitimately that South has a game force opposite a weak 2♦ opening, North has no logical alternative to bidding 7NT over 6♦.

Heather Dhondy's comments:

It is clear to South that they have had a bidding misunderstanding when the 3♥ (an impossible response given her hand) is bid. Therefore she made a guess.

North has the UI that partner has alerted 3♥ which may have reminded him of what 3♣ meant, therefore, if anything, it is the final call that should be examined more closely, but this does not appear to have been considered by the TD.

Jeffrey Allerton's comments:

It would be useful to know why North failed to alert 3♣. Had North forgotten about the meaning of 3♣ or had he forgotten about the weak 2♦ option in his 2♣ Opener? This affects his logical alternatives.

I don't agree with the AC's comment about North not having any unauthorised information; presumably his 3♥ bid was intended as natural and yet his partner alerted. It's possible that North was 'woken up', now realising that he had shown only a good weak two in diamonds; if partner thinks she can make 6♦ opposite that and I actually have a strong option, surely we can make 7NT! Therefore the 7NT bid appears to be illegal and hence I prefer the TD's ruling to the AC's.

Jens Brix Christiansen's comments:

I agree with the committee that there is no infraction.

Nakatani Tadayoshi's comments:

Again the director got it wrong and the AC made the correct ruling. South's judgment that North has a strong hand with hearts was based on his hand and their system agreement, which is AI for N/S. Therefore there is no reason to adjust the score. Table result stands.

Paul Lamford's comments:

An easy one for the AC, and a rare error by this TD.

Richard Grenside's comments:

Just as well the Hearts broke 3-2, never mind the Diamonds also broke favourably. Without either, my guess is that E/W would be very contented. As it was, how about I try to enlist the help of the TD to assist my cause! Pity the TD didn't let the result stand otherwise E/W, if they decided to appeal, would be poorer for the waste of time.

Richard Hills' comments:

On the authorised information available to South:

- (a) North-South hold four of the top three diamond honours between them, and
- (b) North-South have a 13-card diamond fit, with both East and West declining to bid when each holds a diamond void, and together they hold about half the high cards.

So the authorised information guarantees that North has made a bidding error. The unauthorised information (failure to alert 3♣) also suggests that North has made a bidding error. The UI suggests that North's bidding error is holding a heart suit, not a diamond suit. But South bid 6♦, not 6♥, thus choosing a non-suggested logical alternative.

Tim Rees' comments:

I don't understand why the AC is ignoring South's actions. She has UI (from the failure to alert 3♣), so she should strain not to take advantage of this. The situation is complicated because South also has AI (from the 3♥ bid), indicating that something is wrong in the auction.

North also has UI, as South has alerted 3♥. For example, North might have forgotten that a 2♣ opening included a weak diamond hand; the alert of 3♥ could have woken him up to this.

Quite what actions should be allowed or disallowed here, I'm not sure, so it's difficult to say what I'd have ruled. I suspect that I'd have gone with the TD's ruling, but with no specific auction in mind. I don't like the cop-out of awarding A-/A+, but that could be a possibility here.

Final summary by editor:

The majority are happy with the AC. However, there is a vocal minority, but their views are diverse.

APPEAL No 22: What is he thinking about?

07/080 Autumn Congress Bournemouth

Tournament Director:

Robin Barker

Appeals Committee:

David Burn (Chairman), Miles Cowling, Derek Oram

IMPs Board no 19 Dealer South E/W vulnerable	♠ 10 9 3 2 ♥ Q 8 4 2 ♦ Q ♣ K 7 5 4	
♠ K J 6 4 ♥ K ♦ K 10 7 3 2 ♣ Q 6 2	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ 8 7 ♥ A J 10 9 ♦ A J 6 5 4 ♣ A 8
	♠ A Q 5 ♥ 7 6 5 3 ♦ 9 8 ♣ J 10 9 3	

Basic systems:

East-West play 5-card majors, strong NT

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
			P
1♦	P	1♥	P
1♠	P	2♣	P
2♦	P	6♦	P
P	P		

Result at table:

6♦ - 1 by West = NS +100, lead ♥2

Director first called:

At end of hand

Director's statement of facts:

North led ♥2. Dummy was displayed and there was time for a remark from dummy before declarer played small from dummy. South thought for an 'unreasonable amount of time' (to quote declarer) before playing to trick one. Subsequently declarer played South for ♥Q, when it would have been more successful to play towards the ♠KJ.

Director's ruling:

Table result stands

Details of ruling:

White Book re law 73 applies, unless declarer thinks at trick one third hand is entitled to think about the deal carefully. (WB73.2.2)

Note by editor:

The EBU White Book 2004 says:

73.2.2 Pause by third hand

If declarer plays quickly from dummy at trick one, a pause by third hand should not be considered to transmit any unauthorised information to partner, nor to convey potentially misleading information to declarer. In such circumstances, no disclaimer is necessary.

The freedom for third hand to think about the deal generally at trick one if declarer has not paused before playing from dummy applies irrespective of his holding. Thus, for example, it is perfectly legitimate to think about the deal generally at trick one even if third hand holds a singleton in the suit led. As a consequence TDs should not entertain claims that declarer has been misled by a pause from third hand at trick one if declarer did not himself pause before playing from dummy.

Appeal lodged by:

East-West

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

Nothing was said to indicate that the TD had applied the directives in the White Book incorrectly and they seem clear on the point at issue.

Alain Gottcheiner's comments:

The case puts under light a common problem. Assume declarer paused properly. South is allowed to think. However, when it isn't linked to that trick, he has to state it, thereby helping declarer. All this seems to mean that it would be South's interest to be able to make his general thinking within about 10 seconds. I'm not shocked by this but some might be.

Perhaps it would be better to allow 3rd hand to take more time even if declarer timed properly.

Barry Rigal's comments:

No reason to return the deposit given the correct application of the directives.

Bob Schwartz's comments:

Time for a remark from Dummy?? Dummy is never allowed to remark to anything. South can take 6 years to play to trick 1 with no implication. This is unappealable since it is a matter of law. Keep the money.

David Stevenson's comments:

It is not entirely clear that the White Book is relevant: it indicates that a quick play from dummy followed by a reasonable time from next hand shows nothing. But there is some suggestion here that the pause from South was rather longer than this.

Eric Landau's comments:

Saved by the White Book! In another jurisdiction, this might have been a tough or problematic decision. This particular EBU policy is eminently sensible, and ought to be universally adopted.

Frances Hinden's comments:

The White Book guidance is there to prevent third hand being 'shotgunned' by declarer (either at trick one or trick two). Later in the play the defence will have had a chance to think about what card to play in tempo at the critical point, but if declarer plays from dummy quickly at trick one, it is only right that South should be permitted to give it thought whatever he holds or else declarer gets a free ride. The TD and AC's job was to decide if declarer had thought for a reasonable time before playing from dummy at trick one.

Heather Dhondy's comments:

Table result stands. Seems a clear and easy ruling given the wording of the White Book. Assuming this was quoted to the players, I would be tempted to keep the money.

Jeffrey Allerton's comments:

I agree with the TD and the AC.

Jens Brix Christiansen's comments:

This case seems to be open and shut in the EBU. It would be much more difficult in a jurisdiction that does not have a rule about third hand's right to pause in this situation. Such a rule is certainly not universal.

Nakatani Tadayoshi's comments:

If the ruling was correct under EBU White Book, then why return the deposit?

Paul Lamford's comments:

The EBU White Book says "pause" not "lengthy deliberation". There will come a point where it is clear from the length of the hesitation that the player is thinking about his card on this trick. When that point is reached will vary from hand to hand, from player to player. I agree that third in hand is allowed to think for a reasonable time at trick one, and reasonable time should be assessed in comparison with the person's normal thinking time; in Australia the third player could convey UI at trick one by a "change of tempo", but in this country he cannot. I don't know the regulations in other countries.

On this hand, assuming North-South were playing normal leads, West can tell that North has the heart queen from the lead of the tell-tale two, so he should not go wrong. Of course the leader might have false-carded, but that is unlikely. So, on this hand, no adjustment, but that does not mean that every "change of tempo at trick one", however long, should be classed a "pause", as we also want to discourage coffee-housing.

Richard Grenside's comments:

EBU White Book says it all, who are we to argue? West drew an inference, had two possible lines and favoured one over the other because of his perceived rationale of South's slow play at trick 1. To play South for the ♥Q is probably a superior line than playing South for AQ Spades. Even without the White Book, there is a strong case for letting the result stand.

Tim Rees' comments:

Once the TD has decided that declarer had not paused at trick 1, the ruling seems clear cut. There doesn't seem to be any guidance about what constitutes an acceptable pause – I would have thought that 30 seconds would be about right as a minimum.

Final summary by editor:

The majority think this is easy, because of the White Book, so easy that some think it without merit. But some commentators are not so sure the position is as the White Book envisaged.

APPEAL No 23: A “disgusting” ruling?

07/081 Autumn Congress Bournemouth

Tournament Director:

Chris Barrable

Appeals Committee:

Jon Williams (Chairman), Tom Townsend, Ginny Mauren

Swiss Pairs Board no 9 Dealer North E/W vulnerable	♠ 10 6 3 2 ♥ 8 ♦ Q 8 6 5 4 2 ♣ 8 2	
♠ A Q J ♥ K 10 7 5 3 ♦ K 3 ♣ K Q 6	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ K 9 7 4 ♥ A Q J 4 2 ♦ ♣ 10 7 5 4
	♠ 8 5 ♥ 9 6 ♦ A J 10 9 7 ♣ A J 9 3	

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
	P	1♥	2♦
3♦	5♦(1)	P(2)	P
6♥(3)	P	P	P

- (1) Stop card removed from table quickly
- (2) Some thought – see below
- (3) Alleged infraction Law 16A

Result at table:

6♥✓ by East = NS -1430

Director first called:

Before the lead was made.

Director’s statement of facts:

- (1) North agrees she probably pulled her stop card from table fairly quickly after her bid of 5♦.
- (2) East is adamant that she is allowed 10 seconds to think and that she was not given that time. The TD first took West away from the table to question her; she said to him ‘I was thinking about what my partner might bid’. West was clear that she did not believe his partner had hesitated and had called in tempo. The TD believes her call was not in tempo.

Director's ruling:

Score assigned for both sides:

5♥ + 1 by East = NS -680

Details of ruling:

West has received extraneous information by his partner's out of tempo call. His logical alternatives are: double, 5♥, 6♥ - he has 3 aces missing.

Appeal lodged by:

East-West

Basis of appeal:

No hesitation

Director's comments:

The TD was accosted after his ruling (between rounds) by West saying 'I think your ruling is disgusting'. The TD responded 'you have the right to appeal and you are'.

The E/W pair were clearly upset and made it clear they were with comments such as 'I am not coming to any more of these' and 'let us go now'.

Appeals Committee decision:

Table score re-instated

Deposit returned

Appeals Committee's comments:

6♥ not suggested by hesitation even if there was a hesitation.

E/W encouraged to treat TDs with more respect in future. They are only doing the best job they can.

Alain Gottcheiner's comments:

I would have been baffled by the TD's decision too. I agree fully with the principle that, in case of any doubt, the TD should rule in favor of the non-offending side and let the AC tackle the appeal, but here West's decision is so obvious that I think he went too far. Pretending that 5♥ is a LA, when all we need is two aces (in a hand that was judged worth an opening, remember ; give East 3514 pattern and he probably wouldn't have opened), is overdone. If the TD had judged to let the score stand and N/S had appealed, I would have called it 'without merit'.

Barry Rigal's comments:

The correct ruling is to re-instate the 6♥ bid because there appears to be no B-I-T and no reason to assume that anything was demonstrably indicated had there been a tempo break. Then give a procedural penalty to E/W for their inappropriate behaviour. We can't let people get away with this sort of thing.

Bob Schwartz's comments:

Use of the STOP card requires a 10 second pause – it is not governed by how long it is left on the table. East is required to wait the 10 seconds. There was no hesitation – table result stands. I don't understand why the TD ruled as he did but he is entitled to respect not abuse. This is why there are AC's. Is there a screening process before appeals are heard?? In the ACBL I'm sure the TD decision would have been reversed before it got to the AC. I dislike North removing the stop card quickly and then screaming for the TD. I dislike E/W's

behavior. I dislike the TD ruling. Title should be changed from “A ‘disgusting’ ruling?” to “A ‘disgusting’ performance by all concerned?”

David Stevenson's comments:

The AC has the same rights as a TD under Law 93B3, so should have issued E/W with a Disciplinary penalty.

East certainly has got 10 seconds to think in under the Stop card regulations. However, if the TD judged that despite that there was a Break In Tempo, then an AC should normally accept that.

However, the basis for the AC was that 6♥ was not suggested which seems reasonable.

Eric Landau's comments:

Another correct decision by the AC to overrule. This is a classic "two-way huddle" situation. East's (obviously forcing) pass of 5♦ is a "middle" action. A distinct hesitation (if indeed there was one here) suggests a nearly-chosen alternative, but West cannot know whether that would have been more or less slam-encouraging than the actual pass. Therefore he is not constrained by L16A, which requires that the questionable action "could demonstrably have been suggested" by the extraneous information.

Frances Hinden's comments:

I agree with the AC.

Heather Dhondy's comments:

There are times when all players remove the stop card without the appropriate pause, however this sort of sequence is one where it is imperative to leave it on the table for the requisite length of time, and to fail to do so creates a grossly unfair position. This is foreseeable by North, therefore the behaviour of allowing insufficient pause, followed by complaining of a hesitation is lamentable. It is very unlikely that East will have an easy call in this situation and a pause does not convey much information. Moreover the premature removal of a stop card does not obviate the need to pause for the appropriate length of time, hence I do not believe that there has necessarily been any hesitation.

Jeffrey Allerton's comments:

I agree with the AC's decision and reasoning to restore the table result. North deserves a procedural penalty for removing the Stop card prematurely and East/West deserve a disciplinary penalty for being rude to the tournament director.

Jens Brix Christiansen's comments:

Orange Book 7B6 makes it clear that it is mandatory for East to pause for the full 10 seconds if the Stop card is removed prematurely. There is little in the write-up to suggest that East paused for substantially longer than 10 seconds. If these are indeed the facts, there is no useful UI and hence no infraction.

Nakatani Tadayoshi's comments:

While the director clearly determined that there WAS a hesitation which suggested West to bid 6♥, the AC did not give any grounds for re-instating the table result. Unless I get the evidence contrary to the director's statement, I see no reason to overrule the director's decision.

Paul Lamford's comments:

I agree with both the AC ruling and the exhortation not to treat the TDs as soccer players treat their referees!

Richard Grenside's comments:

We have all been there before, in making contentious rulings, there is always one happy side and one unhappy side. In this instance one can possibly understand the frustration of E/W in having a normal contract taken away. West knows that N/S have created an impossible situation for their side, has bitten the bullet and to a certain degree gambled on making 6♥. He stuck it lucky, however with an 18 count opposite an opening bid one can rightfully expect to be in the slam zone. All partner's slow pass says, I have no more than a minimum, up to you. This is in no way UI. Table result stands.

Richard Hills' comments:

Law 74B5:

*As a matter of courtesy a player should refrain from:
summoning and addressing the Director in a manner discourteous to him or to other contestants.*

WBF Code of Practice, page 5:

An appeal committee does have the power to apply a disciplinary penalty if the director has not done so and there is found to have been a breach of the laws governing conduct that the Director has not penalized. The WBF recommends the greatest restraint in exercising this power when the Director has not done so and points to the possible alternative of admonishment if a majority of the committee is strongly of the opinion that some action is justified."

While it is an error for EBU Directors to be reluctant to enforce Law 74B5 with disciplinary penalties, it is an understandable error.

If EBU Directors took correct and desirable action to consistently enforce Law 74B5, some players might incorrectly and undesirably perceive that EBU Directors had conflicts of interest.

But since this EBU Appeals Committee was an independent body, there was not even a perception of conflict of interest when it admonished East-West for their infraction of Law 74B5.

If East-West were expert players (the write-up suggests otherwise), then as an AC member I would have voted to upgrade the admonishment to a standard disciplinary penalty.

Tim Rees' comments:

Once North has removed the Stop card early, East should be given greater leeway about the length of the allowed pause. Trying to think about her bid as well as judging 10 seconds puts greater strain on her.

The TD needs to determine whether the hesitation was unreasonable in this situation, as the AC is unlikely to be able to overturn him. However, if he determined that the hesitation was 15 seconds, then I'd rule no UI.

The AC has avoided this issue by deciding that the 6♥ bid was not suggested by the hesitation. I think that's right; the hesitation suggests short diamonds, and West already knows that from the bidding and his hand.

EBU Laws & Ethics Committee comments:

Appeals Committees are empowered to give disciplinary penalties. The committee noted the Appeal Committee's final comment with pleasure.

Final summary by editor:

Everyone seems happy with the AC decision, though not entirely for the same reasons. There was quite a bit of support for the idea that the AC erred in not issuing a disciplinary penalty.

APPEAL No 24: Canapé is alertable

07/082 Autumn Congress Bournemouth

Tournament Director:

Chris Barrable

Appeals Committee:

Alan Kay (Chairman), Brian Senior, Peter Goodman

IMPs Board no 3 Dealer South E/W vulnerable	♠ J 7 ♥ A Q J 7 5 ♦ 3 ♣ A J 10 9 4	
♠ Q 8 4 3 ♥ 9 3 2 ♦ A K Q ♣ 5 3 2	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ A 10 ♥ K 8 6 ♦ 10 9 8 6 5 4 ♣ K 6
	♠ K 9 6 5 2 ♥ 10 4 ♦ J 7 2 ♣ Q 8 7	

Basic systems:

North-South play strong club, canapé

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

(1) Should have been alerted. North player was informed of this by TD.

Result at table:

2♥✓ by North = NS +110

Director first called:

At end of hand

Director's statement of facts:

The TD was called by West at the end of the hand. He said that because he was not informed (by alert) of the possible canapé bid he did not realise that North had a 5-card club suit; hence he mis-defended as follows:

W	N	E	S	
♦K	♦3	♦10	♦2	♦10 led by East.
♦A	♥5	♦4	♦7	
♣2 (1)	♣4	♣K	♣7	(1) count
♣3 (2)	♣9	♣6	♣Q	(2) neutral
♥2	♥7	♥K	♥10	
♠Q (3)	♠7	♠10	♠2	(3) at this point West continued with a spade. He claimed he would continue a club if the possible canapé sequence had been alerted.

The position was:

	♠ J ♥ A Q J ♦ ♣ A J 10	
♠ 8 4 3 ♥ 9 3 ♦ Q ♣ 5	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ A ♥ 8 6 ♦ 9 8 6 5 ♣
	♠ K 9 6 5 ♥ 4 ♦ J ♣ 8	

Director's ruling:

Table result stands

Details of ruling:

The TD ruled result to stand, the player having made an error. The indication by the play of a) ♠10 and b) ♣6 is that East is seeking a club ruff.

Appeal lodged by:

East-West

Appeals Committee decision:

Director's ruling upheld

Deposit forfeited

Appeals Committee's comments:

We considered that the club that was played back should have made West aware of the position and a club can never cost anyway.

We came to a quick decision therefore forfeiting the deposit.

Alain Gottcheiner's comments:

I don't know enough about carding, and that pair's carding, to know whether East could have held ♣K964, but surely stating West 'failed to play bridge' by returning a spade is exaggerated, and anything less than that gives him the right to redress (possibly via a weighted score). Stating he hasn't any right to it because 'he made an error' (TD's words) is not what the Laws call for. And where is N/S's PP?

Barry Rigal's comments:

I'm not sure that I would have ruled this way – let alone withheld the deposit; I'm completely unconvinced that the defence have a chance to work this out. And N/S deserve to be punished – was this their first board together playing canapé?

Bob Schwartz's comments:

If North had 6 clubs then I can understand the canapé problem. Since North was 5/5 wouldn't everyone open 1♥? OK – canapé is alertable – but I fail to see how it affected this hand. I am obviously missing something though since I would surely bid 2♣ with the North hand over 1♠. I'm lost-but appealing is as ridiculous as the defense.

David Stevenson's comments:

It seems harsh to forfeit the deposit. West has made a small mistake in not playing a "cost-nothing" club, and an alert might just have tipped the scales. Actually, I think he has enough of a case for some adjustment. If he had been alerted he would not have known about the club suit, true, but he would have been more likely to think of it.

So I would give him some percentage of another trick. Even if I was convinced not to, surely he has a case that the appeal has merit?

Eric Landau's comments:

I have no particular sympathy for West, and neither did the TD. But he cannot simply allow the result to stand on the basis of "the player having made an error". It was incumbent upon either the TD or the AC to justify a finding that West's failure to play a club was either an "irrational, wild or gambling action" or an "egregious error" if they wanted a "quick decision" that looked no further than West's play to trick 7. Without it, the decision lacks any apparently legitimate basis.

Frances Hinden's comments:

I think E/W were hard done by here. Just because West has made an error (it's true that a club back probably can't cost) does not mean that he should be denied redress. Underleading the ace of spades is not obviously asking for a club ruff; it's a good way to try and get declarer to get spades wrong looking at Jx. It's true that the 6 of clubs looks suspiciously as if it were from K6 doubleton, but East may have decided that he has no need to give correct count from K106. It is quite reasonable for West to say that it simply did not occur to him that declarer might have five clubs, given the auction. I would have given a percentage of 2♥-1, and I would certainly not have kept the deposit. I suspect that E/W did not state their case very well.

Heather Dhondy's comments:

A careful examination of the club cards should reveal the position and combined with the play in spades, West should have been suspicious. At this stage he could have protected himself by asking questions about the auction.

However it is clear that the bid should have been alerted and no-one would expect a natural sequence like this to be 5-5. Therefore, although I would rule against West (just) the decision to keep the money seems overly harsh.

Jeffrey Allerton's comments:

Was there misinformation? Yes. Rather than concluding that playing a club could not cost anyway, I think the TD/AC should ask themselves: "Would the player have defended the same way given correct information?" If the answer is 'no', then the player was damaged by the misinformation and they should assign an adjusted score. If the answer is 'maybe' then a weighted score would be appropriate.

Nakatani Tadayoshi's comments:

Good ruling by both director and AC.

Paul Lamford's comments:

I agree with both the TD and AC ruling and the forfeiture of the deposit.

Richard Grenside's comments:

I would have thought that 'Canapé' would be a pre-alert. In this case, presumably this was not done, however 'Canapé' was not used, nor was there any suggestion of a long minor. This appeal borders on the ridiculous. Keep the money, well done both Director and Committee.

Richard Hills' comments:

Since it was impossible on the unalerted auction that North held a five card club suit, why is the AC forfeiting the deposit?

Sure West's defence was erroneous, but the misinformation made West's mistake easier. If the new 2007 Lawbook had applied at the time of this appeal, I would have split the score under the 2007 Law 12C1(b):

If, subsequent to the irregularity, the non-offending side has contributed to its own damage by a serious error (unrelated to the infraction) or by wild or gambling action it does not receive relief in the adjustment for such part of the damage as is self-inflicted. The offending side should be awarded the score that it would have been allotted as the consequence of its infraction only.

Tim Rees' comments:

The ruling looks OK, as West's misdefence was not caused by the failure to alert. I'd have only kept the money if West was a strong player. Otherwise, I'd have deemed that the failure to alert was a contributory factor, so returned the deposit.

EBU Laws & Ethics Committee comments:

The Committee considered a letter from a member outlining a case from the Autumn Congress where as a non-offending competitor he had appealed a ruling, lost the appeal and had the money retained. The Chairman wondered whether there was a principle at stake or whether it really amounted to an appeal to the national authority without depositing £75. The committee concluded that as part of the scrutiny of appeals that it had the power to return a deposit where it considered the retention inappropriate. The Committee resisted any move to vary the conditions for retaining deposits for fear that it might appear to give non-offenders a free-shot. Committees would be asked to look carefully at non-offenders who appeal using the normal criteria but in cases where a quick decision was reached to reject the appeal look again to see whether the appeal had any merit.

In the case in question it was unanimously agreed that the Appeals Committee has been wrong to keep the deposit and it was refunded.

The Secretary was asked to draft a 'standard letter' advising any member that as a matter of routine appeals from EBU events were considered by the Committee. The Committee would not however make a score change during such a review. If a member wished to try to get the score changed then an appeal to the national authority would be necessary, subject to the usual conditions.

Final summary by editor:

A complete lack of unanimity amongst the commentators! Some think that the decision was correct, including keeping the deposit, some think it was ok but keeping the deposit was wrong, some would have adjusted.

There was also a suggestion that West's actions were "a failure to play bridge", or "irrational, wild or gambling action", so the AC was correct. But this is not so. First, the standard in the EBU at the time for denying redress was "wild or gambling action". Second, if that was the decision, the score should still have been adjusted for N/S. In fact Richard H's comments about the 2007 Laws applied just as much to this hand.

There was also a suggestion that N/S should be penalised for not alerting. I too would like to know the answer to Barry R's question: "was this their first board together playing canapé?". If not, they knew 1♥ was alertable. It is not like a failure to alert in a strange sequence where a pair may be unaware of the nuances of the alerting rules: canapé bidding is alertable, and it would be very unusual to find a pair who play it but do not know this.

APPEAL No 25: Extra values?

07/087 Tollemache Qualifying

Tournament Director:

Jim Proctor

Appeals Committee:

Jeff Smith (Chairman), Gerald Tredinnick, Jonathan Mestel

Cross IMPs	♠ 10 5 2	
Board no 6	♥ K Q 7 5 2	
Dealer East	♦ 10 9 6 5	
E/W vulnerable	♣ 4	
♠ A 8 7 3	<i>N</i>	♠ J 9 6
♥ 8 6	<i>W</i>	♥ A J 10 3
♦ K 4	<i>E</i>	♦ A 3 2
♣ Q J 8 6 3	<i>S</i>	♣ K 9 5
	♠ K Q 4	
	♥ 9 4	
	♦ Q J 8 7	
	♣ A 10 7 2	

Basic systems:

East-West play 5-card majors, strong NT

WEST	NORTH	EAST	SOUTH
		1♣	P
1♠	P	1NT(1)	P
2NT(A2)	P	3♣	P
3NT	P	P	Dbl
P	P	P	

- (1) 1NT = 12-16
- (2) 2NT = 10-12 NF

Result at table:

3NT x✓ by East = NS -750, lead ♦Q

Director first called:

During auction before South's double.

Director's statement of facts:

The TD ascertained the fact that East's alert of 2NT was late and accompanied by the statement 'I might be wrong' and an offer to North to change his call. South asked before doubling and East said 2NT could be a weak route to 3♣ or 3♦ with four spades and a 6-card minor. South doubled. The TD was recalled at the end of play. E/W agreed that with a weak hand and six clubs West would rebid 2♣.

Director's ruling:

Table result stands

Appeal lodged by:

North-South

Basis of appeal:

West has been influenced by UI.

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

Although we feel there may have been UI, we also believe that it did not influence West's decision to bid 3NT as opposed to passing 3♣ - in fact it seems likely he believed 3♣ to show a maximum hand.

Alain Gottcheiner's comments:

I don't see where West used any UI. East's 3♣ bid is strange, and if one has to take it at its face value, it suggests going on to 3NT if holding some complement in that suit (East holding K10xxx perhaps), which West does hold. Agree with the AC.

Barry Rigal's comments:

I'm running out of synonyms for incompetence. How can we be appointing such deplorable committees? 3♣ over a NF 2NT shows a minimum and five clubs, offering an alternative contract. West would never bid 3NT now. Adjust back to 3♣.

Bob Schwartz's comments:

Keep the money.

David Stevenson's comments:

South's double of 3NT is a typical double shot attempt. If it goes off, great, if not, let's try for a UI adjustment. Since it is wild action, I would not adjust for N/S whatever I decide for E/W.

But in fact I think the UI does not really suggest bidding 3NT so I am happy with the ruling and appeal.

Frances Hinden's comments:

I agree with the AC. From West's point of view, East has shown doubt about accepting the game try with something good in clubs which improves West's hand.

Heather Dhondy's comments:

It is hard to make sense of the auction from the West hand without the UI. How can a hand that rebid 1NT now want to play 3♣? It has to be, at the very least, invitational, and with such good "support", a 3NT bid seems evident.

I have little sympathy with South's *double and call the director if it makes* approach. Table result stands.

Jeffrey Allerton's comments:

I agree with the TD and the AC.

Nakatani Tadayoshi's comments:

Before his double, South had enough information on E/W hand and I agree that 3NT was not suggested by UI.

Paul Lamford's comments:

What would have happened if East had not alerted 2NT? West would have been forced to guess what 3♣ meant. Normally, correction to a safer minor contract does not suggest extra values, particular at IMPs. What is East supposed to bid with ♠Kx ♥Ax ♦Qxxx ♣K109xx or ♠Q ♥AJx ♦Jxxx ♣A109xx? He could rebid 2♣, but a wide ranging 1NT rebid looks fine too. Now when his partner does not checkback for three spades or four hearts, he will almost always furnish three-card club support, so that 3♣ will be safer than 2NT. Opposite the first hand 3♣ makes 10 tricks and 2NT only seven, although I unashamedly confess to selecting the hand to make my point; 3♣ is much better on the second example too. If East had a game-force over 2NT but was semi-balanced, he would try something like 3♦, rather than risk 3♣ being passed.

The additional comment "I might be wrong" was gratuitous, and gave clear UI to West that East was uncertain about the methods here. West was sure that a correction to 3♣ was being done because East thought that was what he was required to do. West now thought, "Oops, my 2NT has been alerted, but it was natural. I had better rebid 3NT to get the message across." But this is misuse of UI. West only has a 10-count, and this looks like a routine adjustment to 3♣ to me. I must confess that my initial thoughts were that West should get a PP until I read further, and was very surprised by the AC ruling and its reasons.

Richard Grenside's comments:

South has been there before, a speculative double which if not working will be adjusted if making. He has worked out that there is UI present and has a (no lose) bob each way bet. The Director obviously saw through the ruse together with the committee. Keep the money!

Robin Barker's comments:

I agree with the ruling.

Tim Rees' comments:

East's 3♣ bid can't be an attempt to play there, as he'd have bid 2♣ rather than 1NT on the previous round with a weak hand. Therefore, West is entitled to bid as he sees fit.

South's double of 3NT looks like an attempt at a double shot. He's assuming the opponents have had a misunderstanding, so he's trying to increase his score, with the fall-back of calling the director if the contract makes. Even if I'd changed E/W's score back to 3♣ =, I'd have made South keep his -750.

Final summary by editor:

No-one has any sympathy for South. The majority are happy with the decision altogether.

APPEAL No 26: A clear majority?

07/088 Tollemache Qualifying

Tournament Director:

Robin Barker

Appeals Committee:

Jeremy Dhondy (Chairman), Graham Link, Jim Mason

Cross IMPs Board no 3 Dealer South E/W vulnerable	♠ K J ♥ A 9 6 4 2 ♦ Q 10 3 2 ♣ 10 8	
♠ 9 8 7 6 3 2 ♥ J 5 ♦ 8 ♣ 7 4 3 2	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ A Q 4 ♥ 7 3 ♦ A 6 5 ♣ A K Q 9 5
	♠ 10 5 ♥ K Q 10 8 ♦ K J 9 7 4 ♣ J 6	

Basic systems:

North-South play Acol 3 weak 2s, weak NT

East-West play Benji Acol

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
			P
P	1♥	Dbl	2NT(A)
P	3♥	P(H)	P
3♠	P	4♠	P
P	P		

Result at table:

4♠ + 1 by West = NS -650, lead ♥A

Director first called:

During the auction

Director's statement of facts:

Called for reservation of rights. Slow pass by East agreed. Recalled at end of play. South was not happy about 3♠ bid. West thought it was clear to bid 3♠ once N/S were limited. Later E/W pointed out that 3♠ immediately over 2NT would be (highly) constructive.

Director's ruling:

Score assigned for both sides:

3♥ - 3 by North = NS -150

Details of ruling:

Pass is a logical alternative to 3♠, and bidding is suggested over pass by partner's pause, which suggests extra values. In 3♥ East will lead a club honour. North is marked with ♠K, ♥A and ♦Q so ♦A, x is the only defence to beat the contract – resulting in 7 tricks to E/W. (Laws 16, 12C2)

Appeal lodged by:

East-West

Appeals Committee decision:

Table score re-instated

Deposit returned

Appeals Committee's comments:

There was a hesitation but the 3♠ bid is evident.

West knows that

a) N/S are limited

b) E/W have at least a 9 and maybe 10 card fit

and we felt a clear majority of players of West's standard would bid 3♠.

Alain Gottcheiner's comments:

I don't think 3♠ is as evident as it is described, because you might well be pushing N/S to 4♥ making. But surely the 70% rule is satisfied here.

Perhaps we'd check E/W's claim that 3♠ over 2NT would have been highly constructive (what about X or 3♥, then?); strangely, it makes 3♠ less obvious, as its range is wider.

Barry Rigal's comments:

I would give a split ruling here; N/S maybe don't deserve more than the table result, but E/W certainly don't deserve to be allowed to balance with 3♠ after the tempo break. Who is to say that N/S have not missed a game? After all, partner can't have THIS hand or he would have doubled 3♥!

Bob Schwartz's comments:

I don't understand the TD ruling. AC got it right. N/S should never have recalled the director after seeing the West hand.

David Stevenson's comments:

This sort of ruling always gets loud arguments, but really it is just a question of polling people. Would 30% of West's peers pass? The TD thought Yes, the AC No.

Eric Landau's comments:

This was the worst ruling by the AC of the entire set (which demonstrates that the standard set by the rest was pretty high). East's huddle over 3♥ clearly suggests significant extra values for his original double. Notwithstanding the available AI noted by the committee, West, on nothing but the auction and his hand, has to worry that if he reopens with 3♠, it could easily go for a big number, or could just as easily push N/S into a making 4♥. Significant extra values in East eliminate both these worries, and make 3# vastly less risky than it otherwise would be. I'd have upheld the TD's original ruling.

Frances Hinden's comments:

I agree with the AC.

Heather Dhondy's comments:

West's bidding seems entirely normal to me, regardless of any hesitation by East. The delayed entry suggests a weaker hand and the limited auction of N/S tells him it is the right thing to do. It is a shame he had to go to appeal to win his case.

Jeffrey Allerton's comments:

The pause suggests bidding over passing. Under the EBU interpretation of the 1997 Laws, at least 70% of West's peers have to select 3♠ for the call to be allowed. This looks like a good hand for a player poll. In an internet poll, 79% of those who passed over 2NT on the previous round bid 3♠ now. This suggests that the AC was probably correct under the EBU interpretation of the 1997 Laws, but that (as with Appeal 15) they should perhaps be ruling the other way under the 2007 Laws which apply in England from 1st August 2008.

Jens Brix Christiansen's comments:

In Denmark, we would have required more than a clear majority, i.e., everybody except an insignificant minority. But that was under the 1997 laws. It will be interesting to see if the criteria will converge somewhat under the 2007 laws, which define "logical alternative" directly in the laws.

Nakatani Tadayoshi's comments:

I don't think 3♠ is evident, pass is a logical alternative for West. In this situation, North would normally underbid the hand as his honors are in front of a strong hand (E/W claim that N/S were limited is self-serving to certain extent). When East hesitated and failed to double 3♥ again, West should not be allowed to bid 3♠ taking partner's strength into his holding.

Paul Lamford's comments:

I agree with the AC that 3♠ is routine. West might have bid spades on the previous round, but he was sure to get another chance, and his chosen route was unambiguous. His bid was lawful in more ways than one, as it seems that both sides have at least a nine-card fit, so bidding 3♠ over 3♥ is Bergenesquely correct.

Richard Grenside's comments:

Wow! Vulnerable at that, a very brave bid, one I am not sure many players would make, in spite of the Appeals Committee's comments? East is the one that should have doubled instead of passing. There is UI, East knows that his partner has Zip and should either bite the bullet and double again or pass in tempo. East had time to think as he knows well in advance that he must make a decision when the bidding comes back to him. Pass is a logical alternate action and I believe the director got it right.

Richard Hills' comments:

I think that the AC may have been subconsciously influenced by the actual 52 cards. If I was the West player looking at those tram tickets, with negative defensive values (almost always my spade length would restrict pard to no more than one defensive spade trick on this auction), I would pass out 3♥ at the speed of light.

Defending 3♥ for -170 is better than pushing the opponents into a cold game for -420 (or a Biltcliffe Coup of -590), or convincing pard to bid on to 4♠x for -500 or -800.

Of course, once pard hesitates to show extra values, there is now no risk of a Biltcliffe Coup.

The AC is also guilty of misquoting the EBU guidelines on Law 16 "logical alternatives". It is insufficient for "a clear majority of players of West's standard" to bid 3♠. What the EBU requires is an overwhelming majority of at least 70% of players of West's standard choosing 3♠ to make 3♠ the only "logical alternative" for West.

Tim Rees' comments:

The AC looks to have got this one right. The TD might also have been right, ruling against the offending side and making West justify his actions to the AC.

Final summary by editor:

Some strong feelings, as I expected when I saw the hand. As some commentators mentioned, perhaps the decision should go the other way under the 2007 Laws which are stricter on what constitutes a logical alternative.

Incidentally, I do not see the legal basis for Barry R's splitting the score. I don't think the word 'deserve' is part of the UI Laws!

APPEAL No 27: Is pass to play?

07/092 Year End Congress London

Tournament Director:

Jim Proctor

Appeals Committee:

Frances Hinden (Chairman), Alan Kay, Glyn Liggins

Swiss Pairs Board no 12 Dealer West N/S vulnerable	♠ A J 5 3 ♥ K 9 8 ♦ A 2 ♣ K 10 9 5										
♠ K Q 7 2 ♥ 10 7 5 4 3 ♦ J 9 8 ♣ A	<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>		♠ 10 9 6 ♥ A Q 2 ♦ K 7 6 3 ♣ 8 6 3
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠ 8 4 ♥ J 6 ♦ Q 10 5 4 ♣ Q J 7 4 2										

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

- (1) 15-17
- (2) Majors not alerted
- (3) Take out
- (4) Penalty

Result at table:

2♥x✓ by West = NS -470

Director first called:

At end of hand

Director's statement of facts:

If 2♣ is alerted, North doubles showing clubs.

Director's ruling:

Score assigned for both sides (Law 12C3):

30% of 3♣✓ by South = NS +110
+ 70% of 3♣ -1 by South = NS -100

Details of ruling:

N/S damaged by failure to alert (Law 21B3)

Appeal lodged by:

East-West

Appeals Committee decision:

Director's ruling upheld
Deposit returned

Appeals Committee's comments:

Agree with TD's ruling (30% of 3♣ making is quite generous to N/S)

The source of the confusion for N/S was their lack of knowledge of their methods, however had 2♣ been alerted the whole issue would not have arisen, thus they were damaged.

NB. This is a potential UI problem as 2♣x E/W is a possible result (East passing the double with long clubs), however we accepted the E/W statement that pass = no preference, 2♦ = diamonds.

Alain Gottcheiner's comments:

Agree with the AC. Agree that the weighted score should be generous to the non-offending side. They could even have been more generous than that : +120 is a possible score, e.g. if South reopens with either 2♠ or 2NT, showing a take-out hand, and North guesses to bid 2NT / pass.

Agree that, if East merely forgot to alert, rather than having temporarily forgotten his system, 2♣X isn't an issue. East would either pass 2♣ or redouble, whichever shows 'no preference', and that would be that.

Barry Rigal's comments:

On this auction of course a redouble of 2♣ should be played as take-out, with pass as a suggestion of a place to play. So the AC should, I believe, have factored in the chance of playing 2♣x. That said, one might argue that West would run in any event with only one club; or would he redouble and play there? Still, when all is said and done, it is not an ungenerous ruling for N/S.

Bob Schwartz's comments:

I would like to address the NB. Why did the AC accept the E/W statement that by agreement pass=no preference, 2♦=diamonds? West is NOT allowed to not hear an alert. North's double was takeout (I'm assuming it was explained as such). I doubt that the agreement is therefore in place. North has shown values outside of clubs. East has shown clubs. 2♣x is the most likely result and that is how I would rule. My guess is down 3 sounds right.

David Stevenson's comments:

It helps if pass does show no preference: too many pairs do not know whether it shows no preference, desire to play in clubs, or nothing to show, and now pairs get it right because of the UI. It is pleasing that the AC investigated this.

Heather Dhondy's comments:

This is one of those horrible hands where I am tempted to rule against everyone at the table! I do not understand either North or South's doubles and am tempted to say that they are the architects of their own misfortune. East failed to alert, and West appears to have taken advantage of this.

I would split the score as follows:

2♣x -3 to E/W (NS +500) – why should I believe the agreements of a pair who do not know what 2♣ means? I think that West acted on UI when he bid 2♥.

2♥x ✓ to N/S (NS -470) – South's double of 2♥ was a wild and gambling action.

Jeffrey Allerton's comments:

A sensible ruling by the TD, confirmed by the AC.

Jens Brix Christiansen's comments:

I think the TD and the AC ought to at least consider South's double. If, according to their judgement, South's double is judged as wild or gambling, some or all of the compensation awarded to N/S should be taken away. However, I would not insist on finding South's double wild or gambling.

Nakatani Tadayoshi's comments:

Double of 2♣ (not alerted) for take-out with North's hand after opening strong NT? Why the double of 2♥ with South's hand? This is simply a bad bridge by N/S and in my opinion, they deserve -470. Am I too harsh toward N/S or am I missing something?

Paul Lamford's comments:

South's double of 2♥ looks somewhat wild or gambling, and one might be tempted to deny redress for that, but as the AC said, the source of the problem was East's failure to alert 2♣. I agree that 3♣ will almost always fail on normal defence and it seems that only a diamond away from the king at some point by East will let it through. So I would not be giving N/S that icing on the cake and would settle for 3♣ – 1.

Richard Grenside's comments:

Was this a case of failure to alert? Or was it a case of East forgetting the system? It is not clear from the write up. Presumably the Appeals Committee took all into account and have backed the director's judgement. I have no quarrel with the ruling. Very generous to N/S, surprised that 2♥ was not in the calculation.

Richard Hills' comments:

Why did East-West appeal? Why did the AC return the deposit?

Robin Barker's comments:

The appeals committee have covered all the bases in their comments.

Tim Rees' comments:

A competent Law 12C3 ruling, upheld by the AC.

Final summary by editor:

Generally the AC decision was perceived as fair, especially for E/W. But South's double was perceived as wild or gambling by a number of commentators, so perhaps a split score should be given.

APPEAL No 28: What's this funny machine for?

07/093 Year End London (Swiss Pairs)

Tournament Director:

Ian Mitchell

Appeals Committee:

Frances Hinden (Chairman), Brian Senior, Liz McGowan

Director's statement of facts:

On at least one previous occasion we had to chase up the offending pair because they had failed to enter all their scores into the Bridgемate on the previous round. During round 7 the Chief TD twice announced that players should not leave their tables until Bridgемates showed 'End of round' or 'End of Session'. Nevertheless the pair concerned failed to enter a score in the last round before the break.

Director's ruling:

Procedural penalty of 0.5 VPs to N/S.

Details of ruling:

Failure to comply with TD's instruction. (Law 90B)

Appeal lodged by:

North-South

Appeals Committee decision:

Director's ruling upheld

Deposit forfeited

Appeals Committee's comments:

No real reason to advise a change of penalty.

Did not seem appropriate to increase the PP – it was a sensible penalty.

Barry Rigal's comments:

Excellent; well done! (finally).

Bob Schwartz's comments:

I can think of many sarcastic remarks to make here – but I will restrain myself. Why did this appeal go forward? It is a matter of Law and non-appealable.

David Stevenson's comments:

It is appeals like this that make me wonder whether we could not do something more suitable about appeals without any shred of merit, designed solely to waste everyone's time. An increase of PP from 0.5 VP to 2 VP would make me feel better, but in fact is inappropriate.

Heather Dhondy's comments:

The appeal seems a waste of everyone's time, especially since they had no comment to make in mitigation. I agree with the decision to keep the deposit.

Jeffrey Allerton's comments:

The form does not specify the basis of appeal. It looks to me as though N/S were appealing on a matter of law or regulation, in which case the appeal should have been heard by the Chief TD (Law 93B). An appeals committee only has the power to overturn the TD's decision on matters of bridge judgement.

Jens Brix Christiansen's comments:

One of the clearest cases of keeping the money I have seen in a long time.

Nakatani Tadayoshi's comments:

This seems to be the correct ruling judging from the write up and as long as director and AC are satisfied with the PP of 0.5VP, I have nothing to add.

Paul Lamford's comments:

Nothing to add – a frivolous appeal.

Richard Grenside's comments:

Surprised that the Procedural Penalty was not increased. A total waste of time.

Richard Hills' comments:

According to clause 12.5 of the White Book, the procedural penalty of 0.5 VPs was the standard amount. Forfeiting the deposit for such a futile appeal was very standard also.

Robin Barker's comments:

Agree with the ruling, especially the forfeiture of the deposit.

Tim Rees' comments:

This was a straightforward ruling, confirmed by the AC, with an appropriate loss of deposit.

EBU Laws & Ethics Committee comments:

The Committee agreed with both the decision to fine and to forfeit the deposit.

Final summary by editor:

What a waste of time! A couple of commentators thought this should not have gone to an AC, but in the absence of a regulation laying down a specific PP for not entering a score, or even a regulation saying that a PP was suitable, it becomes a matter of judgement for the TD and thus appealable to an AC.

FINAL COMMENTS

Alain Gottcheiner's comments:

The concluding sentence for Case 23 is 'the TDs are doing the best job they can'. My feeling is that several TDs and ACs weren't: they were rather incautious in their study of the cases, a sin which is more serious for ACs. Enquiring about bidding systems, checking for LAs by asking players, shouldn't be eschewed. Also, in general they were a bit too demanding to NOSs: only obviously bad actions should cut the link between infraction and damage. Strangely, in Case #12, the AC was generous to the offending side in saying what is 'irrational'.

But most decisions seem right, and many ACs gave very good arguments.

The one thing I don't agree with is the present tendency to return deposits on the shadow of a hint of a good reason.

Barry Rigal's comments:

This was as depressing a set of TD rulings and AC verdicts as I've seen since...the last set. Something serious needs to be done, and fast, in the way of TD training and weeding out inappropriate members of ACs, or else of paying and training them to try to improve for both sets of parties their knowledge of the laws. Very, very depressing.

David Stevenson's comments:

As in previous years, I think too many deposits were returned, and TDs did not use Law 12C3 enough. I did not feel the standard overall was too bad.

The importance of TDs taking polls to decide judgements was made very clear in a number of cases. It has only been a few years since this became a recommendation and a few decisions looked as though the TD had not done this.

From 1st August 2008 there will be a new Law book. With its definition of LA, TDs and ACs will be working to a tighter definition. There were two cases where I felt the TD/AC were correct, but should rule differently under the new Laws.

Frances Hinden's comments:

Excluding the appeals I chaired, there are only three cases where I disagree with the AC which is better than previous years. The lower number of appeals related to two-suited overcalls is also a step forward!

Jeffrey Allerton's comments:

I was a little disappointed with a number of the TD rulings this year. In some cases they do not appear to have consulted sufficiently (a TD should consult as widely as possible on all judgement rulings); in a couple of cases they have even got the Law wrong! Hopefully, this is just a temporary blip, as the 2005 and 2006 Appeals Booklets had shown a very high standard of TD rulings.

The appeals committees did a reasonable job in 2007, but couldn't quite replicate the high standards during the previous couple of years. In my opinion, the appeals committees significantly improved on the TD rulings in seven cases but only significantly worsened the TD rulings once or twice. This suggests that the appeals committee process is still worthwhile, although there were still several cases where I disagreed with both the TD and the AC!

Finally, there is still a lack of information given on the forms. Very rarely do we see the comments of either side recorded and sometimes even the basis of appeal is not clear. At one time the TD would let both sides see the appeals form and record their comments before the appeal was actually heard. I would like to see a return to this practice; written statements can be useful to the AC, giving them more time to consider the arguments and ask supplementary questions. A useful side effect would be to assist appeals reviews such as in this booklet.

Jens Brix Christiansen's comments:

The general impression from a Danish point of view is that appeals are treated much the same in the EBU as they would have been in the DBF. The major difference from Danish practice is best summarized in these points:

- It is a little easier to get a verdict of *no logical alternative* in the EBU than in the DBF. The difference in style is not tremendous, but it is definitely there. It will be interesting to observe a year or two from now whether the formal definition of *logical alternative* will cause this difference in style to disappear.
- In the DBF we very rarely have cases regarding possible fielding of psyches, yet this year's crop of English and Welsh appeals have two such appeals, both of which are about the ultimate classification in the colour scheme. This is a statistically meagre sample, but it does make me wonder whether the colour scheme actually creates as many problems as it solves.
- In the DBF we have regulations to the effect that an appeal normally will not be heard directly at the venue if one of the parties has left the venue after the end of normal play in bona fide ignorance of the appeal. Instead we settle the appeal afterwards in an off-site committee (which will be the regulating authority's committee for event at the national level) where both parties are heard via e-mail. The EBU regulations place less emphasis on the contestants' right to be heard. The EBU approach comes as a surprise to me.

Robin Barker's comments:

I have not commented on a number of rulings where the ruling was mine or I was consulted on the original ruling. On the whole, the appeals committees seemed to have done a good job, improving a number of TD rulings where there was room for improvement.

Tim Rees' comments:

Overall, a good job of getting the correct rulings, especially by the AC. There was only one final ruling that I didn't agree with.

There were a couple of rulings where I thought that the TD and AC could have given weighted scores under Law 12C3. I think weighted rulings should be given where possible (usually for MI cases), especially by the TD. This is likely to reduce the number of appeals. A 12C3 ruling is hardly ever overturned by the AC; it might be necessary to educate players to not appeal these rulings unless there is a clear cut error.

I have one caveat to this: the TD and AC must make sure that they are not giving players an improved score when there was no connection between the opponents' MI and their own actions.

Final summary by editor:

While Barry R was not happy with these rulings and decisions, the rest of the commentators seemed fairly happy, though perhaps there was a feeling they were not quite as good as in earlier years. Of course, too many deposits were returned, but that is unchanged.

While only Jeffrey A commented on the lack of information on the forms, several individual comments during the appeals made this point. Sadly we do not have scribes as in North America, and much that is said is lost to us. Perhaps the EBU should consider scribes?

I was very pleased with the number of new commentators this year. I feel this publication may be more useful than before because of the greater variety of views.

I hope that people find this publication useful.