



**2010**

**EBU Appeals**

# ENGLISH BRIDGE UNION

2010

## APPEALS

All the appeals from the EBU's major events have been included here. It is hoped that they will provide interest and an insight into the way that people in England are ruling the game. The booklet is produced by the Laws & Ethics Committee but the comments shown here (including those from members of the L&EC) are the personal opinions of the writer.

Our thanks to the commentators, who have donated their time and their expertise, and to Neil Morley who volunteered to transcribe all the appeals.

If you have any comments, or would like to be involved in the production of future booklets, please contact the L&EC Secretary, John Pain:

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Booklet compiled & edited by Frances Hinden

## Commentators

**Jeffrey Allerton** is a tournament player from Surrey, England. He is a past European and World junior champion, and recently won the Gold Cup and the Camrose. He used to direct club and county competitions, and is a member of the EBU panel of referees.

**Robin Barker** worked for 20 years at National Physical Laboratory as a research computer scientist. He is an EBU National Tournament Director and an EBL Tournament Director. Away from bridge he enjoys walking the coasts and moors of the South-West of England, where he lives. But this has been constrained by medical problems; in particular, periods of wearing an aircast boot, which can be used to stamp his authority when directing.

**Andy Bowles** “is just a bridge player who happens to be on the Editor's mailing list.” He has won the Camrose and the Gold Cup, and is interested in the Laws and their application.

**Heather Dhondy** is a professional bridge player, teacher and writer. She is a constant fixture on the England ladies' team and won both the European championships and the Mind Sports Olympiad in 2012. She is also a member of the EBU panel of referees.

**Richard Hills'** chief claims to Directing and Appeals Committee fame are his frequent (and frequently controversial) contributions to the Bridge Laws Mailing List (blml).

**Paul Lamford** is the author of a couple of books on bridge, *50 Bridge Puzzles* and *Starting Out in Bridge*, and is a frequent contributor to Bridge magazine and *Metrobridge*. He is a County Director, regular poster on bridge forums, and has been a member of many Appeals Committees.

**Tim Rees** has been playing bridge since school, and has won most of the English and Welsh national titles at some stage. He has represented Wales at Europeans, Olympiads and Commonwealth Games since devolution from Great Britain in 2000, with his greatest success being a silver medal at the 2002 Commonwealth Games. Tim is a member of the Laws and Ethics Committees for both England and Wales. He works at the Transport Research Laboratory, analysing (and hopefully solving) motorway congestion.

**Barry Rigal** is a full time player, writer, journalist and commentator married to Sue Picus. After living in London for 35 years he has been resident in New York for nearly 20 years, and now is considered an American by his family and still British by his NY friends. He was chairman of ACBL National Appeals for three years and has commented on appeals for two decades. He is currently trying to construct a handbook for appeals (and good luck with that one!).

**Frances Hinden** is married to Jeffrey Allerton. She has won many British events and has bronze medals from the European Open Championships. She used to direct club and county competitions, is vice-chairman of the Laws & Ethics Committee and a member of the EBU panel of referees.

## APPEAL No: 10.005

**Tournament Director:** Nick Woosnam

**Appeals Committee:** David Harris (Chairman), Tim Rees, Clive Owen

♠ AK9653		Board 7 : Dealer South : All vulnerable: Swiss Pairs (Matchpoints => VPs)			
♥ KQ		<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
♦ K					Pass
♣ AKQJ		Pass	2♣	Pass	2♦
♠ 8	♠ J10742	Dbl	2♠	Pass	2NT
♥ A62	♥ J983	Pass	3♣	Pass	4♣
♦ A97543	♦ J2	Pass	4♠	All Pass	
♣ 1063	♣ 97				
♠ Q					
♥ 10754					
♦ Q1086					
♣ 8542					

**Result at table:** 4♠ making by North.

### Director's statement of facts:

North paused following the lead of a ♦ then paused (disputed by North) again following West's play of A♦ before following with singleton K. West continued with 9♦ indicating heart entry and contract subsequently made when North discarded KQ♥ on the Q10♦. North maintained that the play of the K♦ was at his normal tempo. Disputed by East and West and not noticed by South.

**Director's ruling:** Score assigned for both sides 4♠ - 1 by North

### Details of ruling:

Under L73D to vary the tempo is not in itself an infraction. My first thoughts were that inferences from such is at own risk. This was communicated to East/West and they asked for further clarification. L73D2 certainly mentions misleading opponents when playing a singleton is not allowed.

White Book page 63 recommends a pause when dummy is first tabled. Third hand can pause with a singleton if declarer plays quickly from dummy but declarer should play in tempo from own hand L73A2

**Appeal lodged by:** North-South

**Basis of appeal:** North feels he played at normal speed.

**Director's comments:** On reflection, I have awarded an adjusted score under L12C1a resulting from 73F as I feel North's opponents were significantly misled from their normal line of play whether North's hesitation was accidental or not. I have ruled in favour of the non-offending side as I consider cashing A♥ next as most probable continuation on the bidding

### Comments by North-South:

I paused for a few seconds on seeing dummy. The A♦ was played. I tend to hold my hand bunched up. My pause after the A♦ was the time it took me to un-bunch (fan) my hand and find K♦ - no longer. I cannot be sure exactly how long this took - maybe 3 seconds. I may not have explained this fully at the table - however, the TD never really asked. His first comment to our opponents was 'if you draw inferences it is at your own risk' which led me to think he was ruling in my favour. An opponent said 'I thought we were here to play a bridge tournament'. Unless the TD silences the whole table so that everybody can give a well thought out view, it is hard to explain this precisely. Also, at another table in the same match the J♦ was led to the A♦ and a trump returned. This is a legitimate line of play - might a weighted score be appropriate?

## **APPEAL No: 10.005**

### **Appeals Committee decision:**

The TD's ruling is upheld. Appeal Committee find as fact that declarer did hesitate prior to playing K♦ from his hand, albeit inadvertently and that West was misled as a result. It is acknowledged that the TD could have obtained more detailed facts at the time he was called.

### **Appeals Committee's comments:**

The AC was not persuaded that there was any good reason to overturn or adjust the TD's ruling and therefore dismissed the appeal. The AC return the deposit as the TD might have obtained fuller facts when called to the table.

### **Barry Rigal's comments:**

Given that this dispute relates to the facts, I think we have to live with the TD ruling. I can't say I'm happy with this but nothing else seems any better. If a ruling involving an adjusted score had been considered appropriate it is FAR from clear that cashing ♥A was the right defence (give East ♠Jxxx and a singleton diamond for example).

### **Robin Barker's comments:**

I agree with the TD/AC ruling. If the TD appeared too quick in reaching his conclusions and the AC had to re-examine that facts, I guess this is a reason to return the deposit.

### **Andy Bowles's comments:**

I sympathise with declarer: before making any comment, the director should give each player a chance to state his version of the facts, but this doesn't always happen. However, the director is paid to ascertain the facts, and we should accept his findings unless we have a good reason not to. I think that there is some chance that West would continue a diamond even without the hesitation, so a weighted score seems appropriate.

### **Heather Dhondy's comments:**

If the king of diamonds is played at normal speed, it seems to me that West does have a legitimate guess as to what to do at trick 2, having to decide who holds the singleton diamond. The hesitation has definitely affected his play, however it is possible that a proportion of the time he may have gone wrong anyway. I would weight the score in favour of the unoffending side, but perhaps a small percentage of 4S making.

### **Richard Hills' comments:**

If the Director's "first thoughts" caused an initial ruling based upon the wrong Law, Law 73D1's "at own risk", then that was a Director's Error. The non-offending side should not be required to draw the Director's attention to the correct Law 73D2 ruling prohibiting "hesitating before playing a singleton". But if North had played the king in tempo, this hypothetical Director's Error did in fact occur, then it was commendable that the Director kept an open mind and changed the ruling.

### **Frances Hinden's comments:**

There is no reason for the AC to overturn the TD's finding of fact about North's hesitation before playing from hand, but West is still on a guess: if the lead is a singleton he should return a diamond at trick two. A weighted score would be more appropriate.

### **Paul Lamford's comments:**

I agree with the TD and AC. But again we only adjust for the damage. So, we poll some players and find how often they find the winning defence (basically anything other than a diamond) without the hesitation. West is still on a guess if North had played the king in tempo.

### **Tim Rees' comments:**

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The AC might have given a weighted score, but we felt that the ♥A was a sufficiently clear defence to find without “knowing” that declarer had two diamonds. North (declarer) should be ready to play when he calls for a card from dummy.

### Jeffrey Allerton's comments:

Disputed facts cases are always difficult. The TD has to determine, on the balance of probabilities, what the facts were and rule accordingly. Equally, it is understandable when the side whose version of the facts has not been used in the ruling decides to appeal. The AC will generally stick with the TD's determination of the facts unless additional information comes to light at the appeal. However, this does not make the assigned score of 100% of 4♠-1 correct! The question for the TD/AC to consider is this: if ♦K had been played in tempo, what card would or might West have played at trick 2? It seems to me that whilst West might have found the winning defence of cashing ♥A, the defence found at the table would also be a possibility, as would switching to a *low* heart. As we can't be sure what defence West would have found, surely a weighted score between 4♠= and 4♠-1 is appropriate.

# APPEAL No : 10.016

**Tournament Director:** Sarah Amos

**Appeals Committee:** Alan Kay, Neil Rosen & Cameron Small

<p>♠ KQ10974 ♥ 75 ♦ 5 ♣ KQ82</p> <p>♠ A82                      ♠ 53 ♥ 10932                    ♥ AQJ86 ♦ 72                            ♦ AKJ94 ♣ J1065                    ♣ 7</p> <p>♠ J6 ♥ K4 ♦ Q10863 ♣ A943</p>	<p>Board 24 : Dealer West : Love all</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td>Pass</td><td>2♠ (1)</td><td>3♠ A</td><td>Dbl A (2)</td></tr><tr><td>3NT (3)</td><td>Pass</td><td>4♦</td><td>Dbl</td></tr><tr><td>4♥</td><td>All Pass</td><td></td><td></td></tr></tbody></table> <p>(1) Weak to intermediate (9-12) (2) Values and a spade honour (3) West asked about the double and then thought before bidding 3NT.</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>	Pass	2♠ (1)	3♠ A	Dbl A (2)	3NT (3)	Pass	4♦	Dbl	4♥	All Pass		
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>														
Pass	2♠ (1)	3♠ A	Dbl A (2)														
3NT (3)	Pass	4♦	Dbl														
4♥	All Pass																

## Basic systems:

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

East-West: Weak NT, 3 weak 2's, 4 card suits

**Result at table:** 4♥ making by West

**Director first called:** At end of play of hand.

## Director's statement of facts:

I was called by North who was unhappy about East removing 3NT. He stated that West had asked questions about the double of 3♠ before thinking and then bidding 3NT. I asked East why he had bid 4♦ and he said that he fancied that the heart finesse was losing and as South was known to have a spade honour he felt that the hand would play better in a suit.

## Director's ruling:

Score adjusted to 3NT-5 by West. If West is left to play in 3NT he has little alternative but to take the heart finesse and NS will take 9 tricks. The UI from the questions and thinking before bidding would tend to indicate that 3NT is a less secure contract than if the bid had been made in tempo. East has a logical alternative in passing 3 NT/  
L16B1a

**Appeals Committee decision:** TD ruling upheld. We agree that West asking about the alert has shown some doubt and East is not entitled to take this into consideration.

## Barry Rigal's comments:

I'm confused. If 3S showed hearts and a minor then 3NT asks for the minor so 4♦ is forced on East. Thus there is no LA to bidding. Even if this is not the case, the AC has been derelict in their duty or write up in not mentioning this. And WHAT was 3S?

Two write-ups, and we are 0/2 on competence...

## Tim Rees' comments:

There's no mention of what 3♠ meant. If it was Michaels, then East has no reason whatsoever to remove 3NT and I'd have kept the deposit. If 3♠ was asking for a stop, or if E/W had no specific agreement, then there is some bridge merit to removing 3NT. It should still be disallowed because of the UI, but an appeal would no longer be frivolous.

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### **Paul Lamford's comments:**

I agree with the TD and AC. Pass must be a logical alternative. West could have Kx of hearts and both black suits stopped for example. East knows that bidding 4♦ is right because of the UI.

### **Robin Barker's comments:**

Agree with the ruling. There is no mention of a deposit.

### **Andy Bowles' comments:**

No mention of the deposit, which should have been kept.

### **Heather Dhondy's comments:**

Surely this should be down 6! South will switch to a club after which they can take four clubs, five spades and a heart.

### **Richard Hills' comments:**

The facts suggest that East thought that 3♠ was showing 5/5 in hearts and a minor, while West thought that 3♠ was a request to bid 3NT with a spade stopper. Hence I agree with the TD and AC that Law 16B1(a) / Law 73C applies. A detailed example of this recurring problem can be found in Law 75A.

### **Frances Hinden's comments:**

Why not keep the deposit? Neither the TD nor the AC have investigated what 3♠ actually meant, but it doesn't matter – unless EW suggest that 3NT is artificial, East has absolutely no business bidding over it.

### **Jeffrey Allerton's comments:**

West is entitled to know the meaning of South's double. As he was asking about an alerted call, I don't see why the fact that he asked a question makes pulling 3NT any more or less attractive. On the other hand, if the "thinking" was significant enough to make the 3NT call out of tempo, then East does have UI which demonstrably suggests bidding over passing 3NT. Only if that is the case do I agree with the TD/AC ruling.



## APPEAL No : 10.017

**Tournament Director:** Roland Bolton

**Appeals Committee:** Ben Green, David Gold & Cameron Small

<p>♠ K97 ♥ J8 ♦ AK10642 ♣ 42</p> <p>♠ QJ543      ♠ A102 ♥ A74          ♥ K9 ♦ 9875          ♦ QJ3 ♣ Q              ♣ A9763</p> <p>♠ 86 ♥ Q106532 ♦ - ♣ KJ1085</p>	<p>Board 24 : Dealer West : Love all : Matchpointed Pairs</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td>Pass</td><td>1♦</td><td>Pass (H)</td><td>1♥</td></tr><tr><td>1♠</td><td>2♦</td><td>2♠ (1)</td><td>All Pass</td></tr></tbody></table> <p>(1)      Slow bid of 2♠</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>	Pass	1♦	Pass (H)	1♥	1♠	2♦	2♠ (1)	All Pass
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>										
Pass	1♦	Pass (H)	1♥										
1♠	2♦	2♠ (1)	All Pass										

**Result at table:** 2♠ making by East

**Director first called:** At end of the auction

### Director's statement of facts:

North called TD to table at the end of the auction and stated that East passed after thought and also made a slow bid of 2♠. These facts were agreed by both East and West. North also brought the TD's attention to the fact that the slow 2♠ suggested that East should have bid more than 2♠.

### Director's ruling:

Cancelled 1♠ bid and applied a weighted score of:

20% of 2♥ = by N, 50% of 2♥-1 by N, 30% of 2♠ = by W

**Details of ruling:** Applied L12B1, L12C1a, L12C1c

### Note by event CTD:

The Appeal came right at the end of the event. N/S had left and there was no option but to try to hear the appeal in their absence. The Committee was appraised of the facts and told they could stop the hearing if they felt N/S presence was essential. They completed the appeal.

**Appeal lodged by:** East/West

### Director's comments:

Appeal lodged very late hence N/S had left and were unaware of the appeal being lodged. N/S were not at the appeal. Appeals Committee Chairman was informed of these facts.

**Comments by North-South:** None. See CTD's comments

### Appeals Committee decision:

Committee felt that the 1♠ bid was an automatic action and that the raise to 2♠ was also normal given the passed hand status of the overcall. Table result restored.

### Barry Rigal's comments:

The 1♠ is not automatic but normal enough, and a balance of 2♠ over 2♦/2♥ is also likely. Nonetheless if East did break tempo significantly I believe West should be held to a higher standard –and the three AC members are

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probably not typical when judging what is an action by a player of normal aggression. They would all bid 1♠; would every player in the field? If West was not a passed hand at love all, this would be even harder.

### **Tim Rees' comments:**

I'm not sure why the TD included any portion of 2♠ in his ruling. If 1♠ is disallowed, then a subsequent 2♠ by West (after passing) would also be disallowed. And I can't see East getting into the auction, so if the TD is disallowing 2♠, then the contract should be adjusted to 2♦ or 2♥.

However, I agree with the AC that 1♠ is sufficiently automatic for it to be the only logical alternative. After that, East is entitled to do what he wants, as he is not in receipt of UI.

### **Richard Hills' comments:**

If West belongs to the "optimistic novice" class of player, then 1♠ was legal, that call being West's only logical alternative (see the Law 16B1(b) definition of "logical alternative"). From my "pessimistic expert" point of view North-South have not yet found a fit and the singleton queen may be more useful as a defensive card – so the 1♠ overcall may lead to a bottom; scoring -50 declaring 2♠ instead of +50 defending 2♦.

The Appeals Committee may or may not have come up with the correct ruling, but they chose the wrong reasoning to get there, the groupthink idea that their personal "optimistic novice" style of bidding was necessarily a universally automatic style of bidding.

### **Jeffrey Allerton's comments:**

I agree with the AC ruling. 1♠ seems normal and I'm not convinced that the slowness of East's Pass makes the overcall any more attractive. There's no need to make a judgement on the 2♠ bid as East has no UI.

### **Robin Barker's comments:**

Although it was unfortunate that N/S were not present, in such (unauthorised information) cases the non-offending side will usually have little to contribute to whether a call should be allowed. The ruling is a difference of opinion/judgement: it appears the TD thought some players would Pass (and Pass was therefore a logical alternative); the AC thought all players would bid 1♠ (and Pass was not a logical alternative).

### **Andy Bowles' comments:**

I agree with the committee.

### **Heather Dhondy's comments:**

I agree with the AC

### **Frances Hinden's comments:**

I don't like East's actions – 2♠ is the bid of someone who knows he has already shown his values with a couple of hesitations. If West had KQJxx Axx xxxx x then game is quite playable but he didn't even show a good raise with a 2♥ bid. However EW have done nothing that obviously leads to a ruling against them, so the AC have this right.

### **Paul Lamford's comments:**

Both East and West took normal auctions and it is hard to see what grounds there were for any adjustment.

# APPEAL No : 10.018

**Tournament Director:** Roland Bolton

**Appeals Committee:** Brian Senior (Chairman), Eddie Lucioni, Artur Malinowski

<p>♠ A ♥ Q73 ♦ AJ653 ♣ J1097 ♠ K7643      ♠ J10982 ♥ 10          ♥ AJ965 ♦ Q72        ♦ 109 ♣ A654      ♣ 2 ♠ Q5 ♥ K842 ♦ K84 ♣ KQ83</p>	<p>Board 12 : Dealer West : NS vulnerable : Matchpointed Pairs</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td>Pass</td><td>1♦</td><td>1♠</td><td>Dbl (1)</td></tr><tr><td>2NT (2)</td><td>Pass</td><td>3♥</td><td>Dbl (3)</td></tr><tr><td>3♠</td><td>Pass</td><td>Pass</td><td>Dbl (4)</td></tr><tr><td>All Pass</td><td></td><td></td><td></td></tr><tr><td>(1)</td><td colspan="3">Sputnik/negative double – no alert</td></tr><tr><td>(2)</td><td colspan="3">Explained as 11-12 hcp balanced</td></tr><tr><td>(3)</td><td colspan="3">No alert but suggests hearts</td></tr><tr><td>(4)</td><td colspan="3">No alert</td></tr></tbody></table>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>	Pass	1♦	1♠	Dbl (1)	2NT (2)	Pass	3♥	Dbl (3)	3♠	Pass	Pass	Dbl (4)	All Pass				(1)	Sputnik/negative double – no alert			(2)	Explained as 11-12 hcp balanced			(3)	No alert but suggests hearts			(4)	No alert		
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**Result at table:** 3♠x + 1 by East

**Director first called:** At the end of the auction

### Director's statement of facts:

TD called at end of the auction. West explained 2NT shows at least 4 spades and a good raise to 3♠ or more. TD offered North his final pass back. North declined to change his call. TD asked North if the double of 3♠ was penalty. North then asked TD if he should alert the double if he is uncertain – no partnership agreement as to its meaning.

### Director's ruling:

TD ruled that that South would bid 4♦ over 3♠ and this would be the final contract. TD gave weighted ruling as to the outcome of 4♦. 70% of 4♦ making and 30% of 4♦ - 3

**Details of ruling:** L12B1, L12C1a and L12C1c

**Appeal lodged by:** East/West

**Basis of appeal:** Misinformation

### Director's comments:

South said that had he been given correct information he would have bid 4♦. South had asked if 3♥ was forcing and told that is was a game try for 4♠.

### Comments by East-West:

1. The double of 3♠ was described as 'suggesting defending' rather than penalty – a reasonable view of the hand and more consistent with the non alert.
2. West saying he would not accept the game try is very different from stating he would not bid 4♠ once opponents revealed a diamond fit.
3. The South player had obvious concerns regarding the explanation of 2NT and could have sought clarification from the CC or from West.
4. The explanation of 2NT did not include any reference to being balanced

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5. Any weighted adjustment (if considered necessary) should include elements of 3♠x (4♦ not bid) and 4♠x (bid by either East or West over 4♦). Also possible is 3♠+1 (undoubled).

**Appeals Committee decision:** Revert to table score.

### Appeals Committee's comments:

While there may have been a poorly worded explanation from E/W, we feel that South should have protected himself more – N/S are very experienced and would know that at least West was also experienced. The N/S actions were, at times, very dubious and we feel basically earned their bad result.

### Barry Rigal's comments:

Nonsensical AC ruling. Double of 3♠ and the sit by North are based on wrong impression of partner's spade length. East gave MI and N/S should be protected. South would double 3♠ and North would pull to 4♣, making 130.

Just because South might have worked it out doesn't mean he has to disbelieve the opponents. The onus is on E/W not N/S. If the committee had ruled the way they did because North should have removed the double after receiving the right information I would have more sympathy with their decision.

### Jeffrey Allerton's comments:

I'm not sure from AC's comments whether they judged that the misinformation did not affect the N/S actions (a conclusion consistent with their decision to restore the table result). If they are saying that there was misinformation, but that the N/S actions at the table were "wild or gambling", then a split score (such as the TD's ruling for E/W, the table result for N/S) would be appropriate in accordance with Law 12C1(b).

### Robin Barker's comments:

In this case, it seems important to know what 2NT meant. Firstly what West intended; and then what was the partnership understanding (if any) – this is what N/S were entitled to. Neither the TD nor the AC appear to have reached a finding on this.

I am not sure how South could have protected himself more – the AC seem to think South should be disregarding the explanations and assuming West had a good raise of spades. But the AC think any misinformation was not the cause of the bad score for N/S, in which case they are right not to adjust.

### Andy Bowles' comments:

I don't agree that South should have protected himself. 2NT wasn't alerted, so whether East said "10-12 balanced" or just "10-12" is irrelevant – it still means "10-12 natural". The suggestion that South should have double-checked by looking at the card or asking West is absurd.

Would NS have bid any differently with correct information? Probably.

In the auction South was given, RHO had a weak two-suiter, LHO was 2=3 in the majors, and opener was probably balanced. In that context, a penalty double with a balanced 13-count is understandable – you would expect it to go down on power.

If South knew that dummy had four trumps and RHO had a game-try, that would give opener an unbalanced minimum with length in the minors. Now South's defensive prospects would look much worse, and his offensive prospects much better.

With correct information, South might have bid 3♠ over 3♥, probably leading to 3NT-3, and he might have bid 4♦ at either his first or his second turn. I would give both sides a weighted combination of these scores.

West's claim that he would have bid 4♠ over 4♦ is unconvincing. He's already shown quite poor judgement by bidding only 3♠ opposite the game-try; why should his judgement suddenly improve on the next round?

### Heather Dhondy's comments:

There appears to be confusion over whether the 2NT was described as balanced or not, and I would have sought clarification of how it was described at appeal. If it was described as 11-12 balanced, I have some sympathy for

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South. It seems quite possible that the opponents are in a 5-2 fit, and that East has overcalled very light. In these circumstances I would rule in favour of N/S, upholding the TDs decision.

### **Frances Hinden's comments:**

It's not for South somehow to work out that he's been given a misexplanation; it's one thing to say perhaps he might suspect that 2NT isn't natural, but quite another to say he should explicitly disbelieve an explanation. It's clear that he would have no recourse at all if he chose to bid on the assumption 2NT was a good spade raise, competed in diamonds and got doubled by a maximum pass in a balanced hand.

However, although N/S have received MI I'm not entirely sure what the result should be: South's claim that he would bid 4♦ and they would play there is a little suspect as he has 13 HCP and only three diamonds. We aren't told the N/S system, but playing strong NT surely North could have, say, Ax xxx AJxx Axxx? I can certainly see N/S finishing in 3NT-3 – which is still an improvement over conceding 3♠x+1.

By the way, saying that the explanation of 2NT did not include any reference to being balanced makes me badly disposed towards E/W. If it's explained as '11-12' with no mention of spade support, that is a natural 2NT bid: while it might be 'unbalanced' in the sense of being, say, 2245 or 1345, it clearly does not include primary spade support.

### **Paul Lamford's comments:**

South knows from the auction that 2NT cannot be natural, and he was told that 3♥ was a game try for spades, so he knew what was happening when he doubled 3♠, so that bad bid was the cause of his bad result. Agree with the AC here.

### **Tim Rees' comments:**

I don't see how South could have done much more to protect himself. He's asked a question and got a clear reply. Looking at the opponents' CC presumably wouldn't have helped. So the AC is basically saying that South should have ignored the explanation and acted on what he believed was going on. 2NT to show a good raise opposite an overcall is common among experts, but not for less experienced players. Why should South have to guess the opponents' methods?

# APPEAL No: 10.019

**Tournament Director:** Roland Bolton

**Appeals Committee:** Graham Osborne (Chairman), N Fitzgibbon and A Mesbur

<p>♠ K984 ♥ 85 ♦ J74 ♣ J1064</p> <p>♠ Q2                      ♠ AJ1073 ♥ KQ97                  ♥ J1063 ♦ Q1062                  ♦ 53 ♣ AQ8                    ♣ 93</p> <p>♠ 65 ♥ A42 ♦ AK98 ♣ K752</p>	<p>Board 43 : Dealer South : Love all : Swiss Teams</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td></td><td></td><td></td><td>1NT (12-14)</td></tr><tr><td>Dbl</td><td>Rdbl A(1)</td><td>Pass</td><td>2♣ A</td></tr><tr><td>Pass</td><td>Pass</td><td>Dbl A (2)</td><td>Pass</td></tr><tr><td>Pass</td><td>2♠</td><td>Dbl A (3)</td><td>All Pass</td></tr><tr><td>(1)</td><td colspan="3">Shows at least 4clubs</td></tr><tr><td>(2)</td><td colspan="3">Penalty</td></tr><tr><td>(3)</td><td colspan="3">Penalty</td></tr></tbody></table>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>				1NT (12-14)	Dbl	Rdbl A(1)	Pass	2♣ A	Pass	Pass	Dbl A (2)	Pass	Pass	2♠	Dbl A (3)	All Pass	(1)	Shows at least 4clubs			(2)	Penalty			(3)	Penalty		
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																														
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Pass	2♠	Dbl A (3)	All Pass																														
(1)	Shows at least 4clubs																																
(2)	Penalty																																
(3)	Penalty																																

## Basic systems:

North-South: Variable NT and 5 card majors

East-West: 5 card majors and strong NT

**Result at table:** 2♠x-4 by North

**Director first called:** At end of play

## Director's statement of facts:

The double of 2♣ was explained as penalty but systemically it was take out. East said he believed the partnership agreement was that the double of 2♣ was take out. West said he believed that the partnership agreement was that it was for penalties. Was unable to ascertain if South's passing of 2♣x showed he held clubs, while North's redouble showed clubs, he stated that South could have between 2-5 clubs. 1NT guaranteed at least 2 clubs.

## Director's ruling:

Adjusted score. TD ruled misinformation had damaged N/S and gave a weighted score of

70% of 2♣x-2

30% of 2♠x-4

Because sometimes North would pass 2♣x and sometimes would bid 2♠ if known that East's double of 2♣ was for take out.

**Details of ruling:** L75B, L12C1a & L12C1d

**Appeal lodged by:** East/West

**Basis of appeal:** Misinformation

**Director's comments:** Result at other table was -300 to N/S

## Appeals Committee decision and Comments:

We found that E/W had no clear agreement about the double of 2♣ and that therefore N/S were misinformed. Given the system of running from NT doubled that N/S were playing we felt there was some probability that North would [not] run from 2♣x if he had been correctly informed. We consider the play to 2♣x and felt that there was a reasonable chance that the defence would only take 6 tricks. We assigned 70% of 2♣x-1 (100) and 30% of 2♠x-4 (800)

## APPEAL No: 10.019

### Barry Rigal's comments:

Reasonable. North's decision to remove 2♣x might be argued to be wild and gambling (doesn't he have a partner?) so I think he was generously treated but I approve of the general approach.

### Paul Lamford's comments:

Two Spades by North looks to be a serious error, but I think it is related to the infraction of the MI, so escapes punishment, much as it merits the bad result! I think the AC and TD did a good job, and agree that the defence is likely to take six tricks. I would not complain if they had decided 100% of 2♣x-1.

### Jeffrey Allerton's comments:

As North's redouble only shows clubs, it appears that North has to guess between sticking in 2♣x and running to 2♠. North is entitled to know the correct E/W agreement, but he is not entitled to know that E/W have had a misunderstanding. At the table, he was told that East had the trump length. If North had known the E/W agreement, he would have the information that East's double was take-out and West had a penalty pass (i.e. sufficiently strong clubs to defend 2♣x opposite a take-out double). I can't see how this knowledge makes it any more attractive to run to 2♠; North has to make the same guess (with apparently equal likelihood of success) on either auction. Hence it seems most equitable to rule 'no damage' from the infraction and to allow the table result to stand.

### Robin Barker's comments:

Presumably, redouble could be single-suited with clubs (as well as two- or three- suited) and South has no option but to bid 2♣ and to pass the double of 2♣. It is not clear how this is supposed to work and involves some guess work by N/S – hence the weighted score when they were misinformed.

### Andy Bowles' comments:

Given that EW had no clear agreement about their methods, I agree with the committee. If North knows that EW are might be in the middle of a misunderstanding, there is less reason for him to run from 2♣. If, on the other hand, EW had had an agreement to play takeout doubles, I'd rule that there was no damage, because North's decision to run would be unaffected by knowing *how* the opposing trumps are divided. I agree with the number of tricks too. There's no reason to assume that the defence will get its trump promotion.

### Heather Dhondy's comments:

I don't really see a difference in North's action if the double is penalty, or if it is take-out converted to penalty by West. If he has no idea how many clubs South's pass is suggesting, they have a flaw in their system, and he will have to guess what to do in either case. I would allow the table result to stand.

### Richard Hills' comments:

I concur with the Appeals Committee.

(a) If West's description of East's double of 2♣ as "penalty" was accurate - because East had merely miscalled - then 100% of the table result of 2♠x-4 (800) should stand.

(b) If East's description of East's double of 2♣ as "takeout" was accurate - because West had unlawfully misremembered - then 100% of 2♣x-1 (100) should be assigned.

(c) However, the form says "...we felt that East-West lacked a partnership understanding about the double". So this fact was all that North was entitled to by Law. Hence 30% of the time North could be lawfully deemed to have chosen the wrong guess about East's intent.

### Frances Hinden's comments:

The N/S methods mean that North has to guess whether to would run or not based on the volume of the E/W double. Given the correct information that E/W aren't sure if double is take-out or penalties, he has to guess what to do and the AC ruling is reasonable.

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### **Tim Rees' comments:**

N/S are playing a method of running from 1NT doubled that relies entirely on guesswork. And is there really that much difference between one opponent making a penalty double, and him making a takeout double and his partner passing for penalties? The only way that North would know it was right to pass is if he knew that the opponents were in the middle of a misunderstanding, and he's not legally entitled to know that. In the circumstances, 70/30 that he would guess right looks generous to North.

Note that the AC made the appealing side's score worse, by adjusting the number of tricks to be taken in the hypothetical contract of 2♣. Despite that, I think it was right to return the deposit.



## APPEAL No:10.022

**Tournament Director: Robert Sassoon**

**Appeals Committee:** Frances Hinden (Chairman), Victor Silverstone, Chris Jagger

<p>♠ 95 ♥ J10 ♦ J976 ♣ KJ873</p> <p>♠ 8                      ♠ AKQ6 ♥ A54                    ♥ KQ72 ♦ KQ832                ♦ A1054 ♣ A542                   ♣ Q</p> <p>♠ J107432 ♥ 9863 ♦ - ♣ 1096</p>	<p>Board 21 : Dealer North : NS vulnerable : Matchpointed Pairs</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td></td><td>Pass</td><td>1♥</td><td>Pass</td></tr><tr><td>2♦</td><td>Pass</td><td>4NT (1)</td><td>Pass</td></tr><tr><td>5♣ (2)</td><td>Pass</td><td>5NT</td><td>Pass</td></tr><tr><td>6♦ (3)</td><td>Pass</td><td>7♦</td><td>All Pass</td></tr></tbody></table> <p>(1) RKCB 0314 (2) 0 or 3 key cards (3) 1 King</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>		Pass	1♥	Pass	2♦	Pass	4NT (1)	Pass	5♣ (2)	Pass	5NT	Pass	6♦ (3)	Pass	7♦	All Pass
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																		
	Pass	1♥	Pass																		
2♦	Pass	4NT (1)	Pass																		
5♣ (2)	Pass	5NT	Pass																		
6♦ (3)	Pass	7♦	All Pass																		

### Basic systems:

North-South: Benji Acol

East-West: Acol

**Result at table:** 7♦=

**Director first called:** After claim had been made by declarer (West)

**Director's statement of facts:** Cards held at time the of the claim.

<p>♠ 5 ♥ J10 ♦ 9 ♣ KJ8</p> <p>♠                      ♠ KQ6 ♥ A54                    ♥ KQ72 ♦ Q8                    ♦ ♣ 5                      ♣</p> <p>♠ immaterial ♥ ♦ ♣</p>	<p>Board 21 : Dealer North : NS vulnerable <i>East on lead</i></p>
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I was called to the table by North after West had claimed her contract. North was disputing that West had not stated her line of play as there was a trump which still needed to be drawn. West indicated that she had had little time to explain her claim before the TD was called.

### Director's ruling:

I felt that it was not at all likely that declarer was unaware of the outstanding trump given her play of the hand (which included finessing the ♦10) and also given the timing of her claim.

**Details of ruling:** L70C2

**Appeal lodged by:** N/S

**Basis of appeal:** Declarer could have been unaware of the outstanding trump.

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### **Director's comments:**

While I was at the table declarer was asked whether there were any trumps outstanding to which she immediately replied "Yes, the 9"

### **Comments by North-South:**

When declarer won trick 6 with the A♦ I dropped the J. Declarer claimed the contract and I paused seeking an explanation. She said "They're all there". After a pause dummy said "There are no more trumps out". I said that there were and said should we call the TD. At no time did declarer say she was playing a heart to the Ace to draw a trump. Only when the TD came did she say she would play a heart to the A but by then declarer was aware there was another trump out. There are other ways back to hand for example K♠ then a spade ruff.

### **Comments by East-West:**

Obvious as the news found immediately – small ♦ to the K void South therefore 4-0. Small ♦ to 10 then A, then claim.

I put the cards on the table and immediately North wanted a TD. I had no chance to speak. Clearly, he hoped that by playing the J I would forget but the 4-0 split is easy to remember.

**Appeals Committee decision:** Adjusted to 7♦-1

### **Appeals Committee's comments:**

The timing of the claim i.e. before crossing to hand to draw the last trump indicated that declarer may have had a lapse in concentration and believed that there were no trumps out, although earlier play was consistent with knowing about the 4-0 break. Unfortunately, the AC has to decide if it was "at all likely" declarer had been confused by the false card. This has to be a subjective opinion. Committee could not come to a unanimous agreement after substantial discussion and it was eventually decided 2-1 with one dissenting opinion.

### **Barry Rigal's comments:**

I would have voted the other way but the AC considered the right issues and came to a subjective opinion which is unarguably a reasonable one – even if not the one I would have produced. Here, the process is more important than the final result.

### **Tim Rees' comments:**

It would have been helpful to see the line of play up to the point of the claim, to try to gauge what declarer might have been thinking. However, the fact she's claimed while in the wrong hand to draw trumps suggests that she's forgotten about the trump. If she'd been in hand at the time of the claim, I'd have been more inclined to allow it.

### **Jeffrey Allerton's comments:**

The AC comments show why the EBU L&EC needs to give clearer guidance on how to handle claim cases. I can see both arguments here, but changing one or two of the AC members might have resulted in a 2-1 or 3-0 vote the other way.

### **Richard Hills' comments:**

"At all likely" is a high standard. The famous frequent Appeals Committee member, Grattan Endicott, has a personal rule-of-thumb that for the Director and/or Appeals Committee to rule in favour of the claimer under Law 70C2 they have to have confidence that there is less than an 18% chance that the claimer has forgotten about the outstanding trump.

### **Robin Barker's comments:**

I think this is the sort of ruling where you had to be there – forming an opinion of what was going at the time of the claim. I think I would have ruled the same way as the TD but the AC decision cannot be criticised.

## **APPEAL No:10.022**

### **Andy Bowles' comments:**

The committee are much better placed than we are to judge what West knew.

One consideration is that West's description of the play is incomplete: obviously she ruffed a club at some point, but she made no mention of this. That is a hint that she had also lost track at the table.

### **Paul Lamford's comments:**

Usually when there is only one trump out and it is not mentioned, the ruling goes against the declarer. Sadly the claimer just has to say how she plans to return to hand to draw the missing trump, and she has to mention that trump. The majority were correct here, although some would say that should be "the majority was correct".

### **Heather Dhondy's comments:**

I agree with the AC. Declarer has to state "drawing the trump", and the fact that she didn't state that or indeed how she was crossing back to hand to draw it is evidence that she has forgotten. I'm surprised that it wasn't unanimous, but of course I wasn't present at the appeal.

# APPEAL No: 10.033

**Tournament Director: David Stevenson**

**Appeals Committee:** Malcolm Pryor (Chairman), Michael Byrne, David Bakhshi

<p>♠ 7 ♥ J875 ♦ 763 ♣ KQ964</p> <p>♠ QJ8                      ♠ AK10432 ♥ 43                              ♥ K62 ♦ KQ9842                      ♦ 105 ♣ 52                              ♣ A8</p> <p>♠ 965 ♥ AQ109 ♦ AJ ♣ J1073</p>	<p>Board 22 : Dealer East : EW vulnerable : Matchpointed Pairs</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td></td><td></td><td>1♠</td><td>Dbl</td></tr><tr><td>2♥ A(1)</td><td>3♣</td><td>3♠</td><td>Pass (2)</td></tr><tr><td>Pass</td><td>4♥</td><td>All Pass</td><td></td></tr></tbody></table> <p>(1)            Alerted. Not asked (2)            Before passing, asked about 2♥ bid. Told fair raise to 2♠, typically, 7-9 with 3 spades.</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>			1♠	Dbl	2♥ A(1)	3♣	3♠	Pass (2)	Pass	4♥	All Pass	
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>														
		1♠	Dbl														
2♥ A(1)	3♣	3♠	Pass (2)														
Pass	4♥	All Pass															

## Basic systems:

North-South: Natural

East-West: 5 card majors

**Result at table:** 4♥=

**Director first called:** About 1 board after the end of the hand.

## Director's statement of facts:

I was approached a few minutes after the end of the hand by E/W to ask whether they were out of time to ask for a ruling and if not to look at North's 4♥ bid in view of South's question.

**Director's ruling:** The request for a ruling was in time. UI does not suggest 4♥ bid

## Details of ruling:

In time. L92B UI does not suggest 4♥ bid. L16B

**Appeal lodged by:** E/W

**Basis of appeal:** UI

**Director's comments:** North was asked why he bid 4♥

## Comments by North-South:

I bid 3♣ for the lead in case they reached 4♠ but consider 4♥ obvious once 3♠ is passed.

## Appeals Committee decision:

We agreed that Pass was not a logical alternative for North and that 4♥ was not suggested by the question over any other actions – see additional points below.

## Appeals Committee's comments:

Additional points:

1. N/S claimed that double of 1♠ showed 4♥ unless stronger and we tested this to our satisfaction with 3 or 4 alternative hand shapes and point ranges put to N/S.

## APPEAL No: 10.033

2. We fully accepted that North, if competent, will not sell out to 3♠, also that the 3♣ bid is highly unlikely to be passed (E/W have a 9 card fit) and that the 3♣ bid is the right call to get a club lead versus a larger spade contract, knowing that if the bidding dies at 3♠ North can then mention the hearts.
3. We felt the 4♥ bid was evident over 3♠ given the partnership methods.
4. The UI, didn't, in our view, suggest the 4♥ bid rather than any other action.

Please will the TD suggest to South that asking a question if she has no intention of bidding would damage her side in a different scenario.

### Barry Rigal's comments:

Disagree strongly with there being no LA to 4♥. North's hand is in no way worth a drive to 4♥ (bidding 3♥ then 4♣ also makes sense but not this way). The fact that South had nothing to think about suggests North was not really thinking about bidding (and that it is not clear that South had extras). I'd let the 4♥ bid stand because the UK rules don't mandate that a question by South hangs North here, but I certainly think it is much closer than the AC.

### Tim Rees' comments:

Why is South asking her question about the meaning of 2♥? It looks to me like an attempt to wake her partner up, as she has no intention of bidding herself. This is illegal (Law 20G1), and a PP should have been applied to South.

I agree that North's 4♥ is evident (assuming he knows the meaning of the opposition's bids).

### Paul Lamford's comments:

I agree with the AC that 4♥ is correct with the double fit, and bidding clubs first will get the right lead against 4♠ (doubled). I presume South was thinking of bidding 4♣ which is why she asked about 2♥. If it was a fit non-jump, she would be less inclined to do so. But then she passed, conveying UI, and I agree with suggesting that the TD explain this to South. Clear to return the deposit, as some Norths would seriously consider passing over 3♠ – “only six points, partner”

### Richard Hills' comments:

In my methods I would choose a Trap Pass over East's 1♠ opening bid with the South cards, due to being endplayed in the auction if I doubled and pard then started bidding diamonds. The fact that South did choose a takeout double gives added weight to the North-South assertion that minimum-values takeout doubles promise four hearts.

### Jeffrey Allerton's comments:

North's bidding is unusual. He made a limit bid on the previous round, so why shouldn't he trust his partner when she decides not to compete further? Was North expecting South to give preference back to clubs at the 5-level if she lacked 4-card heart support? Law 73C requires players to carefully avoid taking any advantage of unauthorised information from partner and North's bidding seems to breach that Law as well as Law 16A. The UI suggests that South has extra values, increasing the chance that 4♥ (or 5♣) will make.

### Robin Barker's comments:

The short statement of the AC decision seems enough to uphold the TD ruling – and to keep the deposit – but there is no mention of the deposit. In my experience, AC rarely keep the deposit when the “non-offending” side appeal even when there are no logical alternatives to the action taken *and* the unauthorised information does not suggest the action taken.

### Andy Bowles' comments:

The committee's ruling is fine, but I disagree with their advice to South. As long as South is consistent about asking in this type of situation, no UI is conveyed by the question. Indeed, the policy of asking only when you are considering bidding creates more UI, because both ask-then-pass and pass-without-asking convey UI.

Instead, I have some advice to North: when your RHO makes an alerted call in an auction where your side is still potentially involved, make a point of asking the meaning, even if you don't care at that moment. This deal is

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typical: at some point NS are going to want to know the meaning of 2♥, so it costs nothing to ask now rather than later. Routinely asking in these situations eliminates loads of UI.

### **Heather Dhondy's comments:**

I'm quite surprised by everyone's view on this. The question has been asked at a dangerous time, and I would have thought that 4♥ is far from evident. If partner also has short spades, there are a lot of losers around in our contract, so why not simply defend a partscore? I think both contracts could easily be failing.

### **Frances Hinden's comments:**

I don't think the question particularly suggests bidding 4♥ to North so I would leave the table result on that basis, but I disagree with the AC that pass is not a LA for North.

## APPEAL No: 10.038

**Tournament Director:** Gordon Rainsford

**Appeals Committee:** Alan Kay (Chairman), David Gold & Jonathan Mestel

♠ J105		Board 11 : Dealer South : Love all : Hybrid Scoring			
♥ 1094		<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
♦ J1098					1♥
♣ AK9		3♠	Pass	Pass	Dbl
♠ KQ9632	♠ 4	Pass	4♥	All Pass	
♥ Q	♥ A73				
♦ 52	♦ KQ743				
♣ 8654	♣ 10732				
	♠ A87				
	♥ KJ8652				
	♦ A6				
	♣ QJ				

**Result at table:** 4♥=

**Director first called:** At the end of play.

### Director's statement of facts:

In a contract of 4♥ West led K♠. South won and led J♣ pausing to think before overtaking and then led 10♥ to West's Q. West now played a club believing that South's hesitation in play marked East with the Q♣. South said he needed to get a count on the hand before deciding whether to overtake the club and that he would get a truer signal by playing the J rather than the Q.

### Director's ruling:

It is not a demonstrable bridge reason to hesitate with a deceptive card when the pause reinforces the deception. If South had played the cards in tempo, West would have been much more likely to play Q♠ and another spade, rather than another club. Score adjusted to 4♥-1.

**Details of ruling:** L73F

**Appeal lodged by:** N/S

**Basis of appeal:** Hesitation in play

**Appeals Committee decision:** Score returned to table score of 4♥=

### Appeals Committee's comments:

We decided that South had a legitimate bridge reason for his action and it was unfortunate for West that he took the wrong decision.

### Barry Rigal's comments:

Unless South is a conman he did nothing wrong (except in the auction when he showed short spades!). West was not getting this right, come what may.

### Tim Rees' comments:

I'm not convinced declarer's hesitation was legitimate. Declarer should be held to a higher standard than the defence regarding potentially misleading hesitations. The defence often has to pause to think when following to a trick. Here, declarer had ample opportunity to think about overtaking the club before leading to the trick – I don't

## **APPEAL No: 10.038**

think he can legitimately claim that it was necessary to think in the middle of a trick (c.f. Appeal 10.005, where declarer thought before playing from dummy, then again before playing from hand).

### **Paul Lamford's comments:**

I agree with the TD. South could have known that the deception would work to his advantage. But we only adjust for the actual loss suffered by West. We poll some players to find out how they would defend if South had played in tempo. I would guess that he might find the winning defence half the time, as East could presumably have three small spades. However, while a weighted ruling is permitted in UI cases this is a deceptive tempo position and such an adjustment is not allowed.

### **Jeffrey Allerton's comments:**

I prefer the TD's ruling to the AC's. If this counts as a "legitimate bridge reason" then players have licence to vary tempo to their advantage in virtually any situation. South could, and should, have decided whether he was planning to overtake ♣J before he led that card from his hand.

### **Robin Barker's comments:**

I was consulted on this ruling and agreed with the Director's ruling for the reason given in his first sentence. But I can see that ♣J was deceptive (but in tempo) whilst the ♣K was slow (but not deceptive) – hence the AC decision that there is a demonstrable bridge reason to think for the card played slowly.

### **Andy Bowles' comments:**

South wasn't hesitating before playing a deceptive card: he was hesitating about whether to overtake a deceptive card, and he had a demonstrable bridge reason for this thought. Hence I agree with the committee.

### **Heather Dhondy's comments:**

Whilst I agree that he had a legitimate bridge reason to think, he could have done that thinking before leading the jack, and his chosen time to pause contributed to the misleading of the opponent. I think that declarer should be penalised, possibly with a procedural penalty rather than adjusting the result.

### **Richard Hills' comments:**

The antics of South appear technically legal, but I would refuse to have South as a partner. My preferred partners would either lead the ♣J and overtake in tempo, or lead the ♣Q and think before overtaking.



## APPEAL No: 10.039

**Tournament Director:** Gordon Rainsford

**Appeals Committee:** David Harris (Chairman), David Ewart and Ian Draper

<p>♠ AKJ64 ♥ 5 ♦ QJ1084 ♣ QJ</p> <p>♠ 75                      ♠ Q103 ♥ K1093                  ♥ AQ ♦ 32                        ♦ A976 ♣ A9765                  ♣ K1032</p> <p>♠ 982 ♥ J87642 ♦ K5 ♣ 84</p>	<p>Board 9 : Dealer North : EW vulnerable : Hybrid Scoring</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td></td><td>1♠</td><td>1NT (1)</td><td>2♠</td></tr><tr><td>3♣ (2)</td><td>3♠</td><td>Pass (H)</td><td>Pass</td></tr><tr><td>Dbl</td><td>Pass</td><td>3NT</td><td>All Pass</td></tr></tbody></table> <p>(1) 15-17 "shows 1½ stops" (2) Non forcing – to play</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>		1♠	1NT (1)	2♠	3♣ (2)	3♠	Pass (H)	Pass	Dbl	Pass	3NT	All Pass
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>														
	1♠	1NT (1)	2♠														
3♣ (2)	3♠	Pass (H)	Pass														
Dbl	Pass	3NT	All Pass														

**Result at table:** 3NT=

**Director first called:** At the end of the auction.

**Director's statement of facts:**

It was agreed by everyone at the table that East's pass was slow. I was called back to the table at the end of play by N/S who were concerned at the double.

**Director's ruling:** Score adjusted to 3♠-1 by North

**Details of ruling:** East's hesitation when passing demonstrated a reluctance for the auction to end. West's double kept the auction open. Pass was a logical alternative to West's double. L16B1

**Appeal lodged by:** East/West

**Basis of appeal:** Hesitation

**Appeals Committee decision:**

By a split decision the AC judged that at this form of scoring (Pachabo) Pass was not a logical alternative and that West knowing that E/W had the balance of points taking action was normal and passing was not logical. Table result to be reinstated.

**Barry Rigal's comments:**

Acting with the West cards is indeed automatic at this scoring. One might question his earlier choice of bids but this is neither here nor there. Agree with AC

**Paul Lamford's comments:**

Agree again with the TD ruling – it is no surprise that the TD on this one and the previous has been promoted to Chief TD of the EBU. How can Pass of 3♠ not be an LA for West? He has already volunteered a bid at the three level opposite 15-17, and partner has taken no action over 3♠. It is incumbent on West not to use the slow pass to his advantage.

**Jeffrey Allerton's comments:**

It would be nice to know how the TD determined pass to be a logical alternative. If he polled peers of West (and this is an ideal situation for a poll), the results of that poll should have been taken into account by the AC and recorded on the form.

## **APPEAL No: 10.039**

### **Robin Barker's comments:**

Although I am familiar with the form of scoring I do not understand the AC reasoning about the form of scoring.

### **Heather Dhondy's comments:**

I agree with the AC.

### **Richard Hills' comments:**

The famous American expert Jeff Rubens has observed that for hybrid scoring **all** strategies – either imp-based strategies or matchpoint-based strategies – are illogical. I therefore support the Director's imp-based assessment of illogical logical alternatives as being superior to the Appeals Committee's matchpoint-based assessment of illogical logical alternatives.

### **Frances Hinden's comments:**

Either pass is a LA for West or it isn't. Given the large element of point-a-board scoring I agree with the AC that it isn't, but this is a ruling where a poll might have been helpful.

### **Tim Rees' comments:**

I agree with the AC that pass was not an LA for West. East was then free to do what he liked.

# APPEAL No: 10.041

**Tournament Director:** June Booty

**Appeals Committee:** Tim Rees (Chairman), Catherine Jagger and Richard Bowdery

<p>♠ AJ9862 ♥ KJ1042 ♦ Q6 ♣ -</p> <p>♠ 754                      ♠ 10 ♥ 985                      ♥ 7 ♦ 74                        ♦ KJ9852 ♣ Q8643                  ♣ A10752</p> <p>♠ KQ3 ♥ AQ63 ♦ A103 ♣ KJ9</p>	<p>Board 20 : Dealer West : All vulnerable</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td>Pass</td><td>1♠</td><td>2NT A(1)</td><td>Dbl A(2)</td></tr><tr><td>3♥ A(3)</td><td>Dbl A(4)</td><td>4♣</td><td>4NT</td></tr></tbody></table> <p>All Pass</p> <p>(1) Explained as 2 red suits. (2) Penalty of one of suits indicated (3) East asked to speak to the TD away from the table after North asked what the 3♥ meant which was non systemic (4) Penalties.</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>	Pass	1♠	2NT A(1)	Dbl A(2)	3♥ A(3)	Dbl A(4)	4♣	4NT
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>										
Pass	1♠	2NT A(1)	Dbl A(2)										
3♥ A(3)	Dbl A(4)	4♣	4NT										

## Basic systems:

North-South: Acol with weak 2♥ and 2♠, 5 card 1♠

East-West: Acolised Benjamin!

**Result at table:** 4NT +2 by South

**Director first called:** After 3♥ was bid and alerted.

## Director's statement of facts:

East called me and asked to speak to me away from the table. He said his partner had given the wrong explanation as 2NT showed the minors. 3♥ was not a bid in their system so he had alerted it but he now didn't know what to say to answer North's question. When we returned to the table West insisted she needed to speak to me away from the table and then told me she had woken up on her own. I asked West to leave the table and gave N/S a correct explanation. I offered North [the opportunity] to change her call of double but she declined. I explained to both East and West that they both had UI. The players continued the auction and played the hand. I was recalled after the hand was completed.

**Director's ruling:** Adjusted to 3♥x-8 by West

## Details of ruling:

I felt that East was in receipt of UI and that Pass and 4♦ were logical alternatives. As he said, 3♥ was not a bid in their system I felt he should treat it as natural although playing both 2 and 3♥ openings as weak. Many people will not open when hold 4 cards in the other major. He had already shown his hand with the 2NT bid and if he wanted to show extra cards then 4♦ would show longer diamonds. I felt West would not bid after that as her partner's comments could be why she had woken up. L16 applied

**Appeal lodged by:** E/W

**Basis of appeal:** Passing 3♥x is not a logical alternative

**Appeals Committee decision:** Ruling upheld and deposit retained.

**Appeals Committee's comments:** E/W have offered nothing in evidence to show why the Director's decision should be amended. East's 4♣ appears to be trying to cater for partner forgetting the system (it's the suit he hasn't shown yet).

## APPEAL No: 10.041

Pass and 4♦ are logical alternatives.

After Pass from East, West would have no reason to remove the double (of 3♥). By Law, she isn't allowed to remember the system once she is in receipt of UI.

### Barry Rigal's comments:

Excellent. Well done. Awarding a PP might be going over the top but why not tell E/W that if they have been told they were unethical on the deal, bringing it to a wider audience's attention is really not in their interests.

### Paul Lamford's comments:

Yet another two-suited disaster. Both East and West have UI, West from East's unexpected alert of 3♥, and East from West's explanation of 2NT. Is it possible for West to have a genuine 3♥ bid, having passed? I think it just about is. Something like ♠ xxxx ♥ A1098xx ♦ Ax ♣ x would be too flawed for a weak two, and might want to bid now. But even then 4♦ is a better spot, so there is a strong argument for bidding 4♣ or 4♦ with screens. Really 3♥ should be fit non-jump here as there are so few hands that want to bid a natural 3♥.

### Jeffrey Allerton's comments:

I agree with the decision to retain the deposit. E/W were lucky not to receive a procedural penalty (the AC comments explain why East deserved one) and the TD/AC were generous to E/W in not assigning at least a percentage of 3♥x-9.

### Robin Barker's comments:

Agree with TD/AC ruling and AC decision to keep the deposit.

### Andy Bowles' comments:

I don't see why the committee thought West would be allowed to make a trick in 3♥x. NS are cold for 7♥ in offence; would they really drop a trick in defence 100% of the time, or even 1% of the time?

If West had been playing in 3♥x, East would have corrected the explanation, so both defenders would have known that a wheel had come off. At some point South would get in, cash ♥A, cash ♠KQ, and play another heart.

### Heather Dhondy's comments:

I agree with the decision, but where is this trick coming from? Surely it's 3♥x-9.

### Frances Hinden's comments:

In practice, without any UI, it might well be the case that passing isn't a LA for East opposite a passed hand 3♥ and some mental uncertainty about what two-suited overcalls they were playing. However the 4♣ bid, in blatant breach of the Laws, causes me to lose all sympathy for them. E/W should have been given a PP.

### Tim Rees' comments:

4♣ was a particularly blatant transgression. We might have awarded a PP, but it's better for the TD to do that, so these things aren't only penalised on appeal.

## APPEAL No: 10.045

**Tournament Director:** Mike Amos

**Appeals Committee:** David Burn, Jeffrey Allerton and Mike Ash

<p>♠ QJ8 ♥ QJ10643 ♦ AK6 ♣ 4</p> <p>♠ K1053      ♠ A6 ♥ K7          ♥ A85 ♦ J74          ♦ Q102 ♣ AKQ10      ♣ J9873</p> <p>♠ 9742 ♥ 92 ♦ 9853 ♣ 652</p>	<p>Board 15 : Dealer South : NS vulnerable : Swiss Pairs (matchpoints =&gt; VPs)</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td></td><td></td><td></td><td>Pass</td></tr><tr><td>1♣</td><td>1♥</td><td>2♣</td><td>Pass</td></tr><tr><td>Pass</td><td>Dbl</td><td>2♥</td><td>Pass</td></tr><tr><td>2NT</td><td>Pass</td><td>3NT</td><td>All Pass</td></tr></tbody></table> <p>1♣ may be as short as two card suit</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>				Pass	1♣	1♥	2♣	Pass	Pass	Dbl	2♥	Pass	2NT	Pass	3NT	All Pass
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																		
			Pass																		
1♣	1♥	2♣	Pass																		
Pass	Dbl	2♥	Pass																		
2NT	Pass	3NT	All Pass																		

### Basic systems:

North-South: 2/1 GF 5 card M

East-West: 5 card majors, short club, 12-14 NT

**Result at table:** 3NT + 2 by West

**Director first called:** At end of auction by North

### Director's statement of facts:

North drew attention to East's 2♣ bid which had not been alerted. He raised concerns about unauthorised information and misinformation. E/W's convention card showed that they were playing inverted minors, but was silent about continuations after intervention. The TD was recalled at the end of play. E/W's bidding not seem to raise concerns but North expressed the opinion that if he had known East's 2♣ was forcing he would have passed 2♣ out.

### Director's ruling:

80% of 2♣ + 3 N/S -150

20% of 3NT + 2 N/S -460

### Details of ruling:

The TD is convinced that E/W do not have an agreement. North should have been told that there was no agreement. In this case passing 2♣ would involve some risk.

**Appeal lodged by:** E/W

**Basis of appeal:** E/W believe ruling too severe.

### Director's comments:

North is entitled to know E/W's agreements or that they have a lack of agreement. He can draw conclusions at his own risk. TD's opinion was that Pass is more likely to gain but sometimes North might fear missing game and so still bid 2♥ - hence the split score

**Appeals Committee decision:** The TD's ruling was upheld and the deposit returned.

## **APPEAL No: 10.045**

### **Appeals Committee's comments:**

[Subsequent write-up by David Burn]

This is an attachment to an appeals form completed by Mike Amos at the Brighton Swiss Pairs. It attempts to summarize the deliberations of the Appeals Committee (myself as chair, Jeffrey Allerton, Mike Ash) that lasted well over an hour and at the end of which I wrote on the form "This is a difficult case". I began to write more before realising that the resulting opus would be about half as long as *Paradise Lost* and only twice as funny, and would in any case not fit in the space provided.

So, I promised to complete the form later. Later is now.

A very good player (vulnerable against not, as I recall) had QJx QJ10xxx AKx x and heard pass opposite, 1♣ to his right (could be short in the context of a weak no trump system). He bid 1♥ and heard 2♣ (not alerted) followed by two passes. He doubled, the opponents bid in short order to 3NT and made eleven tricks after misdefence (ten were available in any case). It transpired that his LHO intended 2♣ as forcing; had our hero known this, he would have chosen to defend that contract and been minus 150 instead.

The Director awarded a score of 80% of minus 150 to the North-South pair, 20% of minus 460. This was based on the second of three arguments discussed below.

### **Argument 1 – Virtual Screens**

If, as is normal in championship play, North (the overcaller) and East (the 2♣ bidder) had been on the same side of the screen. North would have known (because East would have told him) that 2♣ was intended by East as forcing. In that case, North would always pass out 2♣ and North-South would always be minus 150. This was the score that one of the Committee (Ash, J.) strongly maintained should be awarded. The other members of the Committee (Allerton, J. Burn, J.) pointed out that if North had shared a screen with West instead, North would have "known" (because West would have passed) that 2♣ was "by agreement" not forcing, so North would always act (because he did) and be minus 460. Ash remained unconvinced by any of this.

The explanation a player gets with screens obviously (and randomly, and undesirably) depends on which opponent is his screen-mate. The concept of a "virtual screen" is of limited use unless extended to the concept of an "online screen", where a player is able to receive explanations from both opponents at once (those explanations being visible to no one except the player concerned). But the concept of an "online screen" is of doubtful legality; it is generally held that a player is not permitted to know as a matter of course that his opponents are cocking up the auction.

### **Argument 2 – Virtual System File**

It is envisaged by the Laws that North-South are presumed to have access not only to the full set of East-West's explicit agreements, but to the full history of the East-West partnership including past experience of cocking up the auction, past discussions with one another or with other players, implicit agreements that might have a bearing on the sequence in question, and anything else short of a commitment between East and West to enter into a civil partnership (unless in Washington DC, where even this needs to be disclosed well in advance). It is obvious that East-West cannot in the course of any given deal provide North-South will all the information in the Virtual System File, but one adopts as a legal fiction the notion not only that they can, but that they have.

It was held by the Director (Amos), who had been most diligent in collecting evidence, with the Chief Director (Bavin) concurring, that if North-South had access to the Virtual System File, they would have found under Pass-1♣-1♥-2♣ the notation "Undiscussed". This, in addition to the fact that East-West did play 2♣ as forcing if North had passed, was all the information to which North was entitled. In those circumstances North might bid again but would probably pass – the weighting assigned to the respective probabilities was that North would pass four times out of five, so the score awarded by the TD was 80% of NS -150, 20% of NS -460.

This, I freely confess, seemed perfectly reasonable to me until Allerton, J. submitted

### **Argument 3 – Ex nihilo nihil fit**

In order for a player to claim damage, it must first be shown that his opponents have committed an infraction of Law or regulation.

## APPEAL No: 10.045

When East bid 2♣: if that were forcing then East-West had a clear duty to alert it; if it were non-forcing they had a clear duty not to alert it. Failure in either of those duties would be an infraction, but the truth was that *the partnership had no agreement as to whether 2♣ was forcing or not*, so whether 2♣ was alertable was (at best) unclear.

OB5B5 says this: “If there is no alert and no announcement, opponents can assume that there is no agreement that the call falls within an alertable or announceable category.”

OB5B10 says this: “A player who is not sure whether a call made is alertable, but who is going to act as though it is, should alert the call, as the partnership is likely to be considered to have an agreement, especially if the player’s partner’s actions are also consistent with that agreement.”

Well, West may or may not have been sure that 2♣ was alertable (in fact, he was sure it was not, but see below). At any rate, he wasn’t going to act as though it was (since he passed), so OB5B10 did not apply. OB5B5, therefore, left North able to assume that there was no agreement that 2♣ was forcing (which would have been alertable) – *but it did not leave him recourse if it turned out that 2♣ was intended by East as forcing but misunderstood by West as non-forcing; North was on his own in that respect, since neither “non-forcing” nor “undiscussed” was alertable, and in not alerting West had committed no infraction.*

In short: East could bid what he liked; West had no duty to inform the opponents that East might be bidding a forcing 2♣; no one had committed an infraction; where no one has committed an infraction, there can be no damage. Allerton, J’s succinct phrase was “no agreement is not alertable”, a principle that the Laws and Ethics Committee might profitably discuss.

### **Ruling**

Faced, after about an hour’s discussion, with one member of the Appeals Committee who thought that North-South should be minus 150 (by the Virtual Screens argument) and another member who thought that North-South should be minus 460 (by the *ex nihilo nihil fit*, or “no foul, no harm”) argument, I as chair had to do something.

So, we waffled around for a bit before deciding that East-West possibly did have something they ought to have told North-South about regarding the auction (they are an established partnership, after all). We estimated the probability that East-West had actually committed a foul as, say, 20% and we ruled on that basis (miraculously, this required no score adjustment). In conversation afterwards, I discovered that this was fairly close to the mark – East had twitched a bit before bidding 2♣, West had shrugged a bit before passing. This restored my faith in something, although I am not quite sure what.

This ruling was certainly illegal and may go down in history as the worst since (or even before) that of Ted Reveley, but it coincided with our sense of natural justice and our desire to rejoin our partners for the evening session at some point before that session had already begun. The truth is that the “*ex nihilo nihil fit*” argument is technically correct but in practice a cheat’s charter, while the “virtual system file” argument is technically wrong but in practice coincident with what most people think should happen. What can be done about this? Well, we could give it some thought...

### **Barry Rigal’s comments:**

Clearly one member of the AC should go on the stage as a comedian. I enjoyed reading the write up; my opinion is that the score should stand since even facing a constructive (limit raise) hand North would surely balance with 2♥. Hence no damage. Was the call alertable? I’d assume MI was as likely as misbid but I’d still let the table result stand.

### **Tim Rees’ comments:**

The TD appears to have done a thorough job of investigating whether E/W actually had an agreement about 2♣, and found they hadn’t. The ruling would have been a lot simpler if they had an agreement. If their agreement was that 2♣ was strong, West has given a misexplanation and the score would be adjusted to 2♣+3. If their agreement was that 2♣ was weak, then East has forgotten and they’d be no adjustment.

But their agreement was “no agreement” (if that makes sense!). David Burn has provided an excellent explanation of why and how the score might be adjusted. The first option I’d discard is the “Virtual Screen”. Applying the logic to this table would result in an adjustment against E/W. But if in a parallel universe, the pair was sitting N/S, then

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the Virtual Screen argument would lead to no adjustment. It can't be right to give different rulings according to the polarity of the pairs in real life, with no screens.

Natural justice would suggest that North is entitled to know the opponents' agreements (or lack of them) – the "Virtual System File". He would then know that there was a possibility of a misunderstanding and would have to judge his action accordingly. He's not entitled to know that there's been a misunderstanding, so he wouldn't pass automatically, and a weighted score such as the one given by the TD would be appropriate.

However, as the third argument suggests, I don't believe that under our current regulations E/W have committed an offence. Orange Book 5B10 says "A player who is not sure whether a call made is alertable, but who is going to act as though it is, should alert the call." That implies that a player who's going to treat a call as natural shouldn't alert, even though he's aware that his partner might intend it as conventional. And if there's been no offence, how can we adjust the score?

If for some reason North had asked about the 2♣ bid, then he should get the correct information (no agreement) and the auction could have proceeded without a need for an adjustment. But do we really want players asking about non-alerted natural-sounding bids? In a complex auction, we might expect North to protect himself by asking about potentially conventional bids, but this is a pretty simple sequence.

To sum up, I believe that North was damaged by not having an accurate description of E/W's methods. However, I don't believe that E/W have committed an offence under the current regulations, and so the logical conclusion is that the damage is caused by the regulations.

I don't believe it would be practical to make it an offence to not know your system. It might work at the very highest levels (but even then, it's doubtful), but applying the principle to all levels would be unworkable. However, the regulations could be changed to require an alert where there is no agreement. Failure to do so could be a purely technical offence (not subject to any penalty), but it would allow a means of legally adjusting the score when an opponent has clearly been damaged.

### Paul Lamford's comments:

My view is that the 2♣ in this case is alertable because it is natural but has a potentially unexpected meaning (OB5E1). That potentially unexpected meaning is that there is no agreement, as I would expect all pairs to have an agreement about it. I do not think a weighted score is illegal – it is not a UI situation, and North has to guess. I would expect him to pass it out no more than 50% of the time and a fair result might be based on this. If North was playing against a pair of beginners who tried to alert and when asked "not sure – we play inverted raises but don't think that applies with intervention" I think he might still bid.

### Richard Hills' comments:

The so-called **Virtual Screens** argument is contrary to the Laws of Duplicate Bridge. North-South are **entitled** to know the East-West partnership understanding (in this case North-South are entitled to know that East-West had zero partnership understanding about the forcing / non-forcing meaning of a 2♣ raise after a 1♥ interpose). North-South are **not entitled** to know that East-West are having a misunderstanding, although if North-South luckily gain bonus information of a misunderstanding (e.g. East yelling at West, "You can't Pass!") then that is authorised information for North-South which North-South can use at their own risk.

As David Burn himself observed, the so-called 20% Of An Infraction argument is also contrary to the Laws of Duplicate Bridge. Law 85 (Rulings on Disputed Facts) requires a decision one way or another.

And the grate (*sic*) David Burn quoted the wrong clauses of the Orange Book. The overriding primary clause on disclosure is OB 3A1: *All agreements, including implicit understandings and practices of the partnership, must be fully disclosed to opponents. (Law 40)*

Plus there is a relevant secondary clause, OB 3D2 (first sentence): *If a player knows partner's call is (or may be) alertable, but cannot remember its meaning, he should alert.* Hence the esteemed Director, Mike Amos, correctly ruled that there was an MI infraction. And the equally esteemed Appeals Committee (lacking specialist knowledge of relevant Laws and Regulations) incorrectly made a complete hash of things.



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### **Heather Dhondy's comments:**

Wow, I suppose you might say that covers it. I am slightly surprised that no one seems to want to question East's subsequent actions in the bidding, being in receipt of the UI that partner has not alerted his bid of 2♣, although it is fair to say that the pass of 2♣ has revealed how his partner has taken his bid.

### **Robin Barker's comments:**

It is difficult to criticise an AC ruling that contains the phrases "this ruling was clearly illegal" and "it coincided with our sense of natural justice". There is nothing to add to the chairman's dissection of the AC ruling.

A regulation that required alerting of undiscussed calls (where the partnership might be expected to have an agreement and where one of the likely intended meanings is alertable) might be an alternative to "no agreement is not alertable" – but may open other cans of worms.

### **Frances Hinden's comments:**

I like the Virtual System File argument because it does, as David Burn says, coincide with our sense of natural justice. I don't think it's illegal either, because it is also in line with the basic premise of Law 40 which is that the opponents are entitled to know all of your agreements (or lack thereof). The alerting regulations are merely a subsidiary piece of regulation to assist pairs with their obligations under the Law.

### **Jeffrey Allerton's comments:**

I don't believe that the eventual AC ruling was illegal (I would not have agreed to it if I had so believed!) During our lengthy discussion, one AC member suggested that the sequence 1♣-(1suit)-2♣ must have come up several times before for this pair and, given that the pair must have played thousands of boards together, the other two AC members considered that he was quite possibly right (notwithstanding the pair's claim that they had never had the sequence before). On this basis it seems legal to rule that there was a partnership agreement for 2♣ and that, as the TD is to presume mistaken explanation in the absence of evidence to the contrary, the actual agreement for 2♣ should be deemed to be forcing.

We were happy to leave the 20% weighting of -460 as even given the explanation of "forcing" North might have protected anyway (after all, from his point of view, Opener might have psyched - he has just passed a forcing bid!).

## APPEAL No: 10.046

**Tournament Director:** Barrie Partridge

**Appeals Committee:** Frances Hinden (Chairman), Liz McGowan and Cameron Small

<p>♠ 105 ♥ J96 ♦ Q974 ♣ K1064</p> <p>♠ AKJ86      ♠ Q42 ♥ K10          ♥ A74 ♦ 8              ♦ AJ10532 ♣ AJ983       ♣ Q</p> <p>♠ 973 ♥ Q8532 ♦ K6 ♣ 752</p>	<p>Board 23 : Dealer South : All vulnerable</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td></td><td></td><td></td><td>Pass</td></tr><tr><td>1♠</td><td>Pass</td><td>3♥ A</td><td>Pass</td></tr><tr><td>4♣</td><td>Pass</td><td>4♦</td><td>Pass</td></tr><tr><td>4♥</td><td>Pass</td><td>4♠ H</td><td>Pass</td></tr><tr><td>4NT</td><td>Pass</td><td>5♠</td><td>Pass</td></tr><tr><td>6♠</td><td>All Pass</td><td></td><td></td></tr></tbody></table> <p>A explained as 11+ HCP, exactly 3 spades and denying 4 hearts.</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>				Pass	1♠	Pass	3♥ A	Pass	4♣	Pass	4♦	Pass	4♥	Pass	4♠ H	Pass	4NT	Pass	5♠	Pass	6♠	All Pass		
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																										
			Pass																										
1♠	Pass	3♥ A	Pass																										
4♣	Pass	4♦	Pass																										
4♥	Pass	4♠ H	Pass																										
4NT	Pass	5♠	Pass																										
6♠	All Pass																												

### Basic systems:

North-South: Not provided

East-West: 5 card majors

**Result at table:** 6♠= by West

**Director first called:** After bid of 4NT

### Director's statement of facts:

When I was first called there was an agreement of the hesitation. I was called again at the end of play of the hand. I asked East why she bid 4♠. She replied that she wanted her partner to be the one to enquire for keycards. I asked West why she bid 4NT. She replied that she thought her holding opposite partner's bidding warranted further slam investigation.

### Director's ruling:

I ruled that passing is a logical alternative to bidding 4NT and that the latter was demonstrably suggested by the hesitation and to adjust to 4♠ + 2

**Details of ruling:** L16B, L12C

**Appeal lodged by:** E/W

### Director's comments:

In judging whether Pass is a logical alternative, I consulted with seven players, four of whom said they would pass rather than bid 4NT. The criteria for L16B1b seemed clearly satisfied.

**Comments by North-South:** Apologies for non attendance. Only comment, the hesitation makes it easier for West to move.

**Appeals Committee decision:** The TD's ruling was upheld and the deposit returned. We thought this was very close. However, once the TD has taken a poll and got clear evidence that Pass is a LA, we have no reason to overrule him.

**Appeals Committee's comments:** If East thought before bidding 4♦ what she would do over partner's (not unexpected) 4♥ bid, then she could bid in tempo over 4♥ without giving any UI.

## **APPEAL No: 10.046**

### **Barry Rigal's comments:**

Sensible if stern ruling. I like the idea that when West did not use Blackwood over 4♦ (what response was she hoping for or expecting?) she gets shafted by her partner's incompetence.

### **Heather Dhondy's comments:**

I agree with the ruling. Given the result of the poll, I would uphold the TDs ruling, although agree it is close.

### **Jeffrey Allerton's comments:**

In view of the results of the TD's poll, the TD's ruling seems to be obviously correct. I'm surprised that the AC considered it to be close.

### **Robin Barker's comments:**

There has been concern expressed with how TDs conduct polls and how they use the results. We know that in real life, you can get any answer you want from a poll. I do not intend to criticise either the TD or the AC; but if the majority of those consulted choose Pass yet the AC think that Pass is close to not being a logical alternative then there is cause for concern.

### **Frances Hinden's comments:**

Looking at this again, I wonder why we didn't keep the deposit.

### **Andy Bowles' comments:**

I agree with the committee's decision, but I don't think it's particularly close. EW have handicapped themselves by playing methods where both partners have a wide range. They can't use hesitations to narrow these ranges. Unless EW's methods preclude East's holding Qxx Qxx AKxx xxx or Qxx AQx KQxx xxx, pass is a logical alternative.

I don't entirely agree with the committee's comment either. If East would cue-bid 4♦ on any hand with a diamond control, a hesitation before bidding 4♦ must mean that East expects a problem over 4♥, so it would convey the same UI as a later pause. Being prepared for later problems is a good idea, but an advance pause only obfuscates the UI if it increases the number of possible reasons for the pause.

### **Richard Hills' comments:**

While the Appeals Committee thinks it very close to allowing 6♠, I think it much closer (verging on certainty) to retaining the deposit. In my opinion, the Appeals Committee was looking down the wrong end of the telescope.

The AC should not be thinking, "A peer of West will quite often use Blackwood", which is very true but very irrelevant. Instead the AC should be thinking, "After East-West were informed of the Director's poll, does an appeal by East-West have any merit whatsoever?"

### **Paul Lamford's comments:**

Agree with TD and AC. That is the correct approach – poll similar players.

### **Tim Rees' comments:**

Once the poll had been carried out, the ruling seems clearcut. Perhaps if the players had been informed of the result of the poll, they might not have appealed.

## APPEAL No: 10.049

**Tournament Director:** J G Pyner

**Appeals Committee:** Jeffrey Allerton (Chairman), Willy Whitaker and Kath Nelson

♠ 8		Board 16 : Dealer West : EW vulnerable : Swiss Pairs (Matchpoints => VPs)			
♥ AK92		<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
♦ KJ98		Pass	Pass	Pass	1 ♣ A
♣ 10962		Pass	1 ♥	All Pass	
♠ J62	♠ 109753	Lead:	5 ♣		
♥ Q8	♥ 1076				
♦ 65432	♦ A10				
♣ AQ8	♣ KJ5				
	♠ AKQ4				
	♥ J543				
	♦ Q7				
	♣ 743				

### Basic systems:

North-South: 15-17 NT, 5 card majors, possibly prepared club

East-West: Not provided.

**Result at table:** 1 ♥ + 2 by North

**Director first called:** Later in the Match.

### Director's statement of facts:

Originally called to the table to rule on another board. Having ruled on that board I was asked by North to rule on this board, which had been played earlier in the match. The auction had proceeded as described above. Before his final pass West had asked questions about South's hand, ie what Club length and diamond length he might hold and could he only hold 3 diamonds. I asked why he wished to know this and he replied that he was considering bidding diamonds. East led a club. I asked her why she had chosen a club and she replied that she thought it normal to do so.

**Director's ruling:** Adjusted score to 1 ♥ + 3

**Details of ruling:** West's questions suggests he holds values in one or both minors. East has a natural spade lead and the UI arising from West's question rules out the lead of a minor suit. L16B, L73C

**Appeal lodged by:** E/W

**Appeals Committee decision:** TD's ruling upheld. The deposit was returned.

**Appeals Committee's comments:** The AC decided by 2 to 1 that the nature of the questioning demonstrably suggested a club lead over a spade lead and the AC was unanimous that a spade lead was logical alternative.

### Barry Rigal's comments:

I'd have let the table result stand. I think any connection between the question and the conclusion is tenuous at best.

### Tim Rees' comments:

West is entitled to ask questions, as he might easily want to bid here. He should try to ask general questions about shape, rather than about specific suits. I'd like to know more about his actual questions, but they appear to be diamond related, rather than suggesting a club lead, as was found at the table. So perhaps the questions did not

## **APPEAL No: 10.049**

suggest East's lead, in which case there should be no adjustment. The AC were possibly influenced by East's blatant attempt to take advantage of the UI.

### **Robin Barker's comments:**

Agree with AC.

### **Heather Dhondy's comments:**

It is hard to have sympathy with West when he presumably received the reply that would have made it attractive (in his opinion) to bid, but then changed his mind. The result of this is that his partner found a lead which might have been suggested by his comments, and got ruled against, which is the risk he takes. A spade lead looks reasonably normal to me, and I agree with the TD and AC.

### **Andy Bowles' comments:**

I agree with the majority of the committee. West's questions probably didn't tell East which minor he was thinking of bidding, but they indicated that he was thinking of bidding one of them. That increased the probability that either minor-suit lead would work better than a spade lead.

## APPEAL No: 10.050

**Tournament Director:** Barrie Partridge

**Appeals Committee:** Jeffrey Allerton (Chairman), Jeff Smith and Neil Rosen

<p>♠ QJ983 ♥ 1098 ♦ AJ ♣ 1063</p> <p>♠ 642                      ♠ A7 ♥ 73                        ♥ AKQJ54 ♦ Q9653                  ♦ K7 ♣ K75                      ♣ Q42</p> <p>♠ K105 ♥ 62 ♦ 10842 ♣ AJ98</p>	<p>Board 21 : Dealer North : NS vulnerable : Swiss Pairs (MPs =&gt; VPs)</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td></td><td>Pass</td><td>1♣ A</td><td>1♠ (1)</td></tr><tr><td>Pass</td><td>3♣ (2)</td><td>3♥</td><td>4♣ (3)</td></tr><tr><td>Pass</td><td>4♠</td><td>All Pass</td><td></td></tr></tbody></table> <p>A = Strong club 17+</p> <p>(1) Intended to show majors or minors – agreed system “crash” (2) Intended as “mixed raise” agreeing spades, thinking 1♠ was natural. (3) Thinking that her partner was showing a club holding.</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>		Pass	1♣ A	1♠ (1)	Pass	3♣ (2)	3♥	4♣ (3)	Pass	4♠	All Pass	
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>														
	Pass	1♣ A	1♠ (1)														
Pass	3♣ (2)	3♥	4♣ (3)														
Pass	4♠	All Pass															

### Basic systems:

North-South: 5 card majors, weak NT

East-West: Strong club, 17+ unbalanced or 18+ balanced

**Result at table:** 4♠-2 by North

**Director first called:** At end of play.

### Director’s statement of facts:

Apart from the opening 1♣ bid, no other bid was alerted. At some after the auction had finished, North said that his partner should have alerted his 3♣ bid as “mixed raise” agreeing spades. The timing of this statement is in dispute. NS say that this occurred before the opening lead and EW say that this occurred during the play.

At a point in the play after East had followed twice in spades, West enquired about the bid of 1♠ and the conventional nature of the bid became revealed. South had not said anything earlier as she assumed that it was her that had ‘got the system wrong’ and that her call was a misbid. West said that had he known the correct information, he would have doubled the final contract.

**Director’s ruling:** Table result stands

### Details of ruling:

See Director’s comments below. I ruled that West would not have doubled and that therefore the table result would stand. Players were reminded about calling the TD and also that they may consult their convention card during the Clarification Period (L40B2c). L85A1 and L21

**Appeal lodged by:** E/W

### Director’s comments:

The timing of North’s comment is in dispute. Under L85A1, I decided that the scenario that North commented on his bid of 3♣ before the opening lead was made was considerably more likely. I consulted with colleagues throughout and we believe that West would be more likely to double as NS would seem less to have a double fit in the black suits. The explanation by North would have indicated that there was no marked club fit and that West had sufficient information on which to decide whether to double. It is also the case that West (or any of the players) could have called the TD after the explanation of the 3♣ bid and West would have had the opportunity to change his Pass to double.

## **APPEAL No: 10.050**

### **Appeals Committee decision:**

The TD's ruling was amended. South failed to correct the failure to alert is before the opening lead.

80% of 4♠x-2 by South -500

20% of 4♠-2 by South -200

### **Appeals Committee's comments:**

We believe that E/W were damaged during the auction. If 1♠ had been correctly explained as majors or minors, West would probably have doubled 4♣ and then East would have doubled 4♠. There is a small possibility that E/W would not have found the doubles in practice, hence the 20% weighting to 4♠ undoubled.

Players are reminded to correct explanations and also call the TD promptly in accordance with L20F5(b)(2)

### **Barry Rigal's comments:**

A generous ruling for E/W since West had a partner who had opened a strong club and bid again yet passed throughout. I'd be much more inclined to adjust to a number closer to 50-50. The laws seem correctly applied re the timing of comments etc.

### **Tim Rees' comments:**

Players need to be educated about correcting MI in a timely fashion (for the declaring side, at the end of the auction). Here, North has correctly attempted to explain his 3♣ bid, but South has failed to correct the MI regarding her 1♠ bid.

The AC ruling is based on West doubling 4♣. But with correct systemic explanations, he'd "know" the opponents had a big club fit, so why should he double? Perhaps the AC were irritated by South's failure to correct the MI.

### **Paul Lamford's comments:**

I was the dimwit that was North and did not know they were playing Precision! South should indeed have pointed out the lack of an alert before the opening lead, when West would have had his last bid back, but she thought that was obvious when North said that 3♣ should have been alerted as a mixed raise. I think he would substitute double close to 100% of the time – he has both minors covered and is entitled to know South has the minors, and that North has spades. I would not have complained about 100% of 4♠x-2. The TD did a poor job, and the AC changed the decision.

### **Andy Bowles' comments:**

I agree with the committee. The director seems to be saying that because West made the wrong decision given partial information, we should assume he would also have made the wrong decision given full information.

### **Heather Dhondy's comments:**

What is West entitled to know at the point where he has to decide whether to double 4♣? He is entitled to know the true meaning of the 1♠ bid, and if it is correctly explained, then presumably 3♣ shows a guaranteed fit in clubs and it doesn't seem likely that West would necessarily double 4♣. When the auction is over, he now learns the true meaning of the 3♣ bid, but now is only allowed to have his final pass back. In other words, at the time he has to decide whether to double 4♣, is he allowed to know whether the opponents have had a misunderstanding? I don't know the answer to this, but seems to me to be an important factor in this appeal.

### **Frances Hinden's comments:**

The more of these rulings I see, the stricter I want to be about penalising players who do not correct (possibly) MI as declarer or dummy before the opening lead. It's true that (in general) the opponents are not entitled to know that you have had a bidding misunderstanding, but saying nothing is often the best route to a good score and we can still adjust or penalise using Law 23.

# APPEAL No: 10.051

**Tournament Director:** Kathy Williams

**Appeals Committee:** Frances Hinden (Chairman), Simon Cope and David Gold

<p>♠ 8 ♥ Q108 ♦ AKQJ6 ♣ A653</p> <p>♠ 632                      ♠ AKJ5 ♥ K763                    ♥ AJ2 ♦ 93                         ♦ 7 ♣ KJ92                    ♣ Q10874</p> <p>♠ Q10974 ♥ 954 ♦ 108542 ♣ -</p>	<p>Board 29 : Dealer North : All vulnerable : Swiss Pairs</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td></td><td>1♦</td><td>Dbl</td><td>1♠</td></tr><tr><td>Dbl</td><td>Rdbl (1)</td><td>2♣</td><td>5♦</td></tr><tr><td>Pass</td><td>Pass</td><td>Dbl</td><td>All Pass</td></tr></tbody></table> <p>(1) Happy to play in 1♠xx East asked about the redouble before he made his 2♣ bid</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>		1♦	Dbl	1♠	Dbl	Rdbl (1)	2♣	5♦	Pass	Pass	Dbl	All Pass
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>														
	1♦	Dbl	1♠														
Dbl	Rdbl (1)	2♣	5♦														
Pass	Pass	Dbl	All Pass														

## Basic systems:

North-South: Not noted

East-West: 3 weak 2's.

**Result at table:** 5♦x= by North

**Director first called:** At trick 3

## Director's statement of facts:

East called me to the table as he played the A♠ at trick 3. When South gave the explanation that the redouble meant she could play in 1♠xx he assumed his partner's 2♠ at trick 1 was a singleton. He then played A♥ and partner encouraged with the 3. When he led A♠ and it was ruffed by declarer he was surprised and called me. I asked North why she hadn't given the correct explanation before the lead came and she said as declarer she shouldn't. I explained that as either declarer or dummy the correct explanation must be given. I asked North what she thought her redouble was and was told it was for take out.

**Director's ruling:** Misinformation. Contract made at the table.

**Details of ruling:** 75% of 5♦x-1; 25% of 5♦x= Law 16B2

**Appeal lodged by:** E/W

## Director's comments:

N/S originally appealed but then withdrew. After the dinner break E/W then told me they wanted to appeal having seen the hand record.

## Appeals Committee decision:

Declarer should have corrected the explanation when dummy hit (the table). East was given an impossible problem. Score adjusted to:

90% of 5♦x-1

10% of 5♦x=

**Appeals Committee's comments:** East's defence was sufficiently odd that there is a chance he will still go wrong after a correction to "No Agreement" but we think 1 in 10 is more likely.



## **APPEAL No: 10.051**

### **Barry Rigal's comments:**

E/W were very generously treated; I'd redouble if the double was take-out and my call simply showed a strong hand because of my extras so it is not clear there is MI. East's defence was subsequent to not consequent to the MI – if any. Much prefer TD ruling to the AC. but still that seems harsh to N/S. I'd be inclined to say that any East who continues spades after partner tells him to play hearts deserved -750. That's why he played the HA right? He heard his partner say don't play spades, he played one, and it was wrong.

N/S get 50-50 of 5♦ x making and down one E/W get -750.

### **Jeffrey Allerton's comments:**

I don't understand the AC comment: "Declarer should have corrected the explanation when dummy hit (the table)." If a member of the declaring side believes that his partner had given a wrong explanation, the explanation should be corrected before the opening lead is made (see Law 20F5(b), which also requires that the TD be called).

### **Frances Hinden's comments:**

Another case where Declarer should have said something before the opening lead and not doing so benefited her side.

### **Heather Dhondy's comments:**

I agree with the AC. Given the information that the double is for take-out, it is very likely that East will get the defence right. The only question in my mind is whether this was their agreement about the redouble. I suspect that they did not have an agreement, and if this was the case, the correct explanation would be "no agreement", in which case East would have more of a guess as to what to do.

### **Paul Lamford's comments:**

AC decision seems fine.

### **Tim Rees' comments:**

Another failure to correct MI. The TD came up with a reasonable percentage weighting – was it worth the AC fiddling with these weightings?

## APPEAL No: 10.052

**Tournament Director:** J G Pyner

**Appeals Committee:** David Burn (Chairman), Tim Rees and Espen Erichsen

<p>♠ K105 ♥ AJ95 ♦ 6 ♣ Q9754</p> <p>♠ J972                      ♠ AQ84 ♥ 1063                      ♥ Q4 ♦ KJ5                        ♦ A9742 ♣ A62                        ♣ J8</p> <p>♠ 63 ♥ K872 ♦ Q1083 ♣ K103</p>	<p>Board 12 : Dealer West : NS vulnerable : Swiss Pairs</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td>Pass</td><td>Pass</td><td>1♦</td><td>Pass</td></tr><tr><td>1♠</td><td>Pass</td><td>2♠</td><td>Pass</td></tr><tr><td>Pass</td><td>Dbl</td><td>Pass</td><td>3♥</td></tr><tr><td>Pass (H)</td><td>Pass</td><td>3♠</td><td>All Pass</td></tr></tbody></table> <p>H            North said that West had put her hand towards the bidding box then paused briefly before selecting the Pass card.</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>	Pass	Pass	1♦	Pass	1♠	Pass	2♠	Pass	Pass	Dbl	Pass	3♥	Pass (H)	Pass	3♠	All Pass
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																		
Pass	Pass	1♦	Pass																		
1♠	Pass	2♠	Pass																		
Pass	Dbl	Pass	3♥																		
Pass (H)	Pass	3♠	All Pass																		

### Basic systems:

North-South: Natural

East-West: Natural

**Result at table:** 3♠= by East

**Director first called:** When dummy was faced.

### Director's statement of facts:

Having ascertained the facts of the auction as described above, I directed play to continue. I was recalled by North after play. He questioned East's 3♠ bid. I asked East for his reasoning for bidding. His reply was that as the partnership style was to raise on 3 card support in these situations his hand was better in context than it might have been. He knew that if 8 tricks was the limit for both sides he would be doing the wrong thing. North said he thought Pass to be a logical alternative.

Following this information I conducted a poll (4 people), 2 bid 3♠, regarding it as automatic, 1 bid 3♠, but might briefly consider passing. Before deciding to bid one said that the state of the match and who the opponents were would decide his actions but would probably pass more often than bid (about 60% : 40%)

**Director's ruling:** Table result stands.

### Details of ruling:

East has UI from West's action. Evidence from my straw poll does not suggest that Pass reaches the level required for a logical alternative so result stands.

**Appeal lodged by:** N/S

**Director's comments:** E/W unable to attend AC as they had to leave promptly to reach their accommodation. They have added their comments below.

### Comments by North-South:

The UI not converted by E/W. We regard Pass as a logical alternative which should have been selected by East over 3♠ given the UI. 50% of those polled would consider passing and 25% of those polled would then Pass. This meets the criteria of the L&E for a LA.

## APPEAL No: 10.052

**Comments by East-West:** As stated at the time we frequently raise on 3 card support – so partner with only 4 trumps cannot compete. It is our style therefore to compete further where we have 4 card trump support and reasonable values.

**Appeals Committee decision:** TD ruling amended. Pass is a logical alternative to 3♠ and score adjusted on that basis. 3♥-1 by South +100

### Appeals Committee's comments:

Of the (admittedly small) number of people polled, about 1½ would consider passing and one would pass more often than not and since at least one of us would Pass, Pass is a logical alternative. If East was going to bid 3♠, he could do so after the double.

Could go down in 1 in 3♥, but at the table making, down 1 and down 2 are all easily possible. We don't want to assign a weighted range of scores, so down 1 it is.

### Barry Rigal's comments:

Prefer TD ruling; the question as to what percentage of answers constitute an LA should be defined, but having said that E/W arguments look very sound to me. East's hand is skewed towards offence.

### Tim Rees' comments:

All of East's arguments apply equally to bidding 3♠ immediately over the double. If 3♠ was so obvious, why not bid it straight away? That would avoid any possible use of UI from partner on the next round of the auction. I'm always sceptical of allowing a bid that could have been made on the previous round.

Incidentally, any poll of players should only include those who would have passed over 2♠\*.

### Paul Lamford's comments:

I agree that Pass is an LA, particularly with Qx in hearts – if partner had Jxx instead of 10xx it could easily have been right. Both 3♥ and 3♠ could easily be one down. The AC decision looks right.

### Richard Hills' comments:

“and since at least one of us would Pass, Pass is an LA”.

Law 16B1(b) states: *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.* **IF** the AC's “one of us” is **not** “among the class of players in question” and/or is **not** “using the methods of the partnership”, **THEN** that AC member's preference for a Pass is irrelevant.

### Jeffrey Allerton's comments:

I agree with the AC that the 3♠ bid should be ‘disallowed’. However, as they judged the number of tricks 3♥ might make to be uncertain, Law 12C1(c) requires them to assign a weighted score.

### Robin Barker's comments:

The third pollee “briefly considered” passing – this is not (or not necessarily) the “seriously consideration”, as described in the Law. I would have interpreted the results of the poll in the same way as the TD but the poll suggests the decision is close. The AC had additional data (one of them would pass) and decided that was enough to overturn the TD.

### Andy Bowles' comments:

I agree that pass is a logical alternative, as I would choose this call myself.

Why didn't the committee want to assign a weighted score? It may be hard to make a good estimate of the percentages, but that's no reason to choose what is clearly a very bad estimate. Either 80:10:10 or 60:20:20 would be an improvement on 100:0:0.

## **APPEAL No: 10.052**

### **Heather Dhondy's comments:**

I would bid 3♠, not that that is the test, but I have sympathy with East's actions. The disagreement seems to come from what constitutes a logical alternative, and the narrative above is a little confusing. Interesting point is, if the TD has polled some players and decided that a bid is or isn't a logical alternative, should the committee be adding their votes to the poll? I would say yes, but I don't think that any guidance is given in this area.

### **Frances Hinden's comments:**

A straight judgement decision on whether pass is a LA or not; but having decided that it is a LA why not award a weighted adjustment? "We don't want to" isn't a good reason.

## APPEAL No: 10.054

**Tournament Director:** Sarah Amos

**Appeals Committee:** Jeremy Dhondy (Chairman), Liz McGowan and Pat Collins

♠ K5 ♥ AK1032 ♦ AJ1063 ♣ 7 ♠ QJ1093      ♠ A62 ♥ QJ7            ♥ 965 ♦ Q                ♦ K972 ♣ AQ83          ♣ K54 ♠ 874 ♥ 84 ♦ 854 ♣ J10962	Board 10 : Dealer East : All vulnerable : Matchpointed Pairs			
	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
		Pass	Pass	
1♠	2♠ A (1)	Pass	2NT (2)	
3♣	3NT	4♠	Pass	
Pass	Dbl	All Pass		
(1)	2♠ explained as hearts and a minor			
(2)	2NT explained as natural			

**Result at table:** 4♠x-2

**Director first called:** After explanation of 2NT bid

### Director's statement of facts:

When explaining 2NT North told the table that his bid was actually showing hearts and diamonds not hearts and a minor. I warned South that this was UI. I was recalled at the end of the hand. West had played in 4♠x and gone down two. E/W were unhappy that 2NT had been explained as natural and although North and South both said that this was their agreement there was no evidence to support this. N/S won A♥, K♥, ♥ ruff A♦, and North then played a 4<sup>th</sup> ♥. West ruffed with A♠ because he 'knew' that South had the K♠. South at first said he has psyched but later admitted he was trying to play in partner's minor. With the correct information West can make 9 tricks in spades.

**Director's ruling:** 4♠x-1 by East for +200 to N/S

**Details of ruling:** 2NT was misexplained by N/S. L75B

**Appeal lodged by:** N/S

**Basis of appeal:** Disagree with the ruling

**Appeals Committee decision:** TD's ruling amended. The score is adjusted back to the table result

### Appeals Committee's comments:

The play of the A♠ has no logic and cannot win unless North is void in clubs. If he had been he would have played the 2♥ at trick 3. The play of the A♠ was felt to be one that was sufficiently poor as to deny redress. North should be rebuked for volunteering a correction to South's explanation in mid auction. He is sufficiently experienced to know better.

### Tim Rees' comments:

Now we've got an improper correction of MI – in mid-auction! But this had little effect – the potential damage was caused by the MI regarding the meaning of 2NT.

The AC ruling is OK – the defence had no logic. However, I'd want to penalise N/S for something – North's improper correction of the explanation of 2♠, plus N/S being economic with the truth about the meaning of 2NT. I'd have supported a split score under Law 12C1b. The defence was "a serious error (unrelated to the infraction)", so E/W get the table score. However, N/S could be awarded 4♠\*-1.

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### Paul Lamford's comments:

EW should get their bad result because of the serious error, unrelated to the infraction. It seems there was both MI and UI however, and North-South get the result if that had not occurred, so +200 for them and -500 for EW.

### Richard Hills' comments:

The Director asserted: "although North and South both said that this was their agreement there was no evidence to support this". There is, of course, the uniform verbal evidence of both North and South that 2NT was natural.

Merely because such an idiosyncratic partnership agreement might not be a partnership agreement that the Director would choose to adopt with her own partner is not in itself reason to doubt its veracity. Note that at the table North chose to cuebid 2♠ with a fistful of high cards, which (if a fistful is systemic) increases the likelihood that North-South might play a 2NT response as natural. And indeed South at the table held a balanced no-trumpish shape. If East-West misunderstood the description of 2NT as "natural" to mean "natural and showing lots of high cards", then that is their problem. Law 21A states that: *No rectification or redress is due to a player who acts on the basis of his own misunderstanding.*

### Heather Dhondy's comments:

The commentary does not reveal which heart North played at trick 3, but one can surmise that it was a high one from the AC comments and the diamond return. I can't see when the ♠A is ever right, even if North is void in clubs, however it is likely that West played it without too much consideration, viewing that because South held the king, it couldn't make any difference – which is true. Given the lack of supporting evidence about the meaning of the bid, it is normal to assume misinformation, and therefore I think the AC's ruling is a little harsh.

### Robin Barker's comments:

North is in a difficult position – he cannot correct the explanation, and he may not indicate in any manner that a mistake has been made (for instance, by talking to the TD away from the table). If he knows that 2♠ is a specific two-suiter and in response 2NT is natural he should explain that 2NT is natural. But he knows 2NT is intended as asking for clarification in response to an ambiguous two-suiter. So explaining 2NT as natural will indicate that a mistake has been made. Furthermore, if there is no evidence that 2NT is natural then North knows that his explanation will be ruled misinformation because it does not match South's intention. There is a school of thought that the laws (should) require North to explain South's intended meaning – so that East/West are better informed and so that South is not made aware of his mistake.

It might be argued that there was no misinformation because 2NT is obviously natural in response to a specific two-suiter. But the AC decided there was misinformation but it was not the cause of the damage to E/W.

### Frances Hinden's comments:

We still don't know what the actual N/S agreement is: either North has shown specifically the reds (and then it is conceivable that 2NT is systemically natural) or North has shown hearts and a minor (and then it is far more likely that 2NT was conventional, as South thought). Without establishing that, how can the TD or the AC rule properly? Certainly E/W were given MI at some point in the auction, but we don't know exactly when. The AC's comments are consistent with ruling that the play in spades was 'a serious error unrelated to the infraction' implying that a split score might be appropriate, but I can't see that the MI (if there was any) has actually damaged EW so I would not give a split score. (If East had claimed that he thought he was saving over 3NT and he would have bid differently with different information – such as doubling 3NT – then I would have a lot of sympathy for him, but if he didn't suggest that he was damaged by the original explanation, then I don't think the AC should do so for him.)

### Barry Rigal's comments:

Well done the AC. The comment in mid-hand by an experienced player might well have been worthy of a PP. What are they for if not things like this?

### Jeffrey Allerton's comments:

I agree with the AC's decision to restore the table result, but I don't like the wording in their comments. If a non-offender's play is "sufficiently poor to deny redress" that suggests that the score ought to be split as the offending side is assigned the score that it would have been allotted as the consequence of its infraction only (Law 12C1(b)).

## **APPEAL No: 10.054**

My reasoning for restoring the table result for both sides is that there is no link between the infraction and the play of ♠A.

### **Andy Bowles' comments:**

I agree with the committee - West simply misplayed.

In any case, it's not clear why the director thought there was MI about the systemic meaning of 2NT. When South bid 2NT, he was under a misapprehension about the meaning of 2♠. If we accept that 2♠ systemically showed the red suits, it's irrelevant what South thought 2NT would mean opposite hearts and a minor. In the systemic auction, a natural 2NT is at least believable, and no evidence was presented to rebut NS's assertions about it.

Maybe North's infraction merited more than a mere rebuke?

## APPEAL No: 10.056

**Tournament Director:** Steve Quinn

**Appeals Committee:** Alan Kay (Chairman), Paul Lamford and Jeff Smith

<p>♠ 62 ♥ AJ652 ♦ QJ4 ♣ A109</p> <p>♠ KJ9874      ♠ A53 ♥ 84            ♥ Q73 ♦ 10            ♦ K97632 ♣ J742        ♣ 5</p> <p>♠ Q10 ♥ K109 ♦ A85 ♣ KQ863</p>	<p>Board 8 : Dealer West : Love all : Swiss Teams</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td>2♠ (1)</td><td>Pass</td><td>3♠</td><td>Pass (2)</td></tr><tr><td>Pass</td><td>4♥ (3)</td><td>All Pass</td><td></td></tr><tr><td>(1)</td><td>Weak</td><td></td><td></td></tr><tr><td>(2)</td><td>Alleged break in tempo, not a long hesitation.</td><td></td><td></td></tr><tr><td>(3)</td><td>North enquired about East's 3♠ bid and told 'pre-emptive'</td><td></td><td></td></tr></tbody></table>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>	2♠ (1)	Pass	3♠	Pass (2)	Pass	4♥ (3)	All Pass		(1)	Weak			(2)	Alleged break in tempo, not a long hesitation.			(3)	North enquired about East's 3♠ bid and told 'pre-emptive'		
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																						
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(1)	Weak																								
(2)	Alleged break in tempo, not a long hesitation.																								
(3)	North enquired about East's 3♠ bid and told 'pre-emptive'																								

### Basic systems:

North-South: No information provided.

East-West: Benji

**Result at table:** 4♥=

**Director first called:** After completion of play.

### Director's statement of facts:

I was called by E/W after completion. They suggest that the break in tempo influenced North's 4♥ bid. North says that the knowledge of 2 pre-emptive bids on his right and left implied his partner must have values.

### Director's ruling:

50% of 3♠-1 by West

50% of 3♠-2 by West

**Details of ruling:** There was a break in tempo. L16B1

**Appeal lodged by:** N/S

**Basis of appeal:** Alleged hesitation

**Appeals Committee decision:** TD ruling upheld. Deposit returned.

### Appeals Committee's comments:

Although the hesitation was miniscule, there was something and this suggests a bid from North. We do not consider that 4♥ is sufficiently obvious.

### Barry Rigal's comments:

There is no such thing as a small hesitation or Break In Tempo. There either was or there wasn't. N/S did not dispute the BIT; why did they appeal? If it was on the grounds that there was no Logical Alternative to bidding they deserve a special PP for stupidity. If it isn't clear from the forgoing, I agree with the decision but not the return of the deposit. When the facts are not disputed an appeal of this sort is a waste of everyone's time and N/S need to be apprised of that –whether they learn the hard way or easy way is up to them.



## **APPEAL No: 10.056**

### **Paul Lamford's comments:**

I think that the BIT made it easier to find the 4♥ bid from a hand that did not think he was worth a 3♥ overcall. I was impressed with the director who was handling his first appeal. East does not have to have that weak a hand for raising to 3♠. He just might be putting the pressure on.

### **Jeffrey Allerton's comments:**

If the hesitation had been agreed, this would have been the most obvious deposit retention. North's 4♥ bid looks bizarre in isolation, which adds weight to the conclusion that North had picked up something from South's tempo.

### **Robin Barker's comments:**

This seems all to be about whether there was unauthorised information. It does not take much of a break in tempo to be an "unmistakable hesitation", as described in law. I think it is significant that North did not dispute the hesitation at the table but instead explained why "he had his bid".

### **Andy Bowles' comments:**

"Not sufficiently obvious" is a bit of an understatement.

### **Heather Dhondy's comments:**

I do not consider the 4♥ bid to be obvious at all, however a question that might be asked is how obvious is it to take some action? In other words is pass a logical alternative? If not, then they might give some weight to 4♣=4♣-1. My view is that pass is a logical alternative, although would poll some players, and therefore would uphold the TD's ruling.

### **Frances Hinden's comments:**

Why return the deposit?

### **Tim Rees' comments:**

If the facts were agreed, why return the deposit?

## APPEAL No: 10.057

**Tournament Director:** James Vickers

**Appeals Committee:** Tim Rees (Chairman), Cameron Small, Jon Cooke

<p>♠ K104 ♥ 1043 ♦ Q109852 ♣ 8</p> <p>♠ A7                    ♠ J986532 ♥ 52                    ♥ 87 ♦ AKJ3                ♦ 76 ♣ AK1032            ♣ J4</p> <p>♠ Q ♥ AKQJ96 ♦ 4 ♣ Q9765</p>	<p>Board 9 : Dealer North : EW vulnerable : Swiss Teams</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td></td><td>3♦</td><td>Pass</td><td>4♥</td></tr><tr><td>Dbl</td><td>Pass</td><td>4♠</td><td>Pass H</td></tr><tr><td>Pass</td><td>5♥</td><td>Pass</td><td>Pass</td></tr><tr><td>Dbl</td><td>All Pass</td><td></td><td></td></tr><tr><td>Agreed Hesitation</td><td></td><td></td><td></td></tr></tbody></table>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>		3♦	Pass	4♥	Dbl	Pass	4♠	Pass H	Pass	5♥	Pass	Pass	Dbl	All Pass			Agreed Hesitation			
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																						
	3♦	Pass	4♥																						
Dbl	Pass	4♠	Pass H																						
Pass	5♥	Pass	Pass																						
Dbl	All Pass																								
Agreed Hesitation																									

### Basic systems:

North-South

East-West

**Result at table:** 5♥x-2 by South

**Director first called:** At the end of play

### Director's statement of facts:

I was called to the table at the end of play. EW had reserved their rights after North bid 5♥ over the slow Pass. When asked why he bid 5♥, North said he had 3 card support for partner and that 4♠ could well be making.

**Director's ruling:** Adjusted to 4♠= by East

### Details of ruling:

North can guess partner is thinking of competing further as his spade holding makes double an unlikely choice for South so 5♥ is demonstrably suggested. A poll of players suggested this. 4♠ is unlikely to be defeated so awarded 100% of 10 tricks.

**Appeal lodged by:** N/S

**Appeals Committee decision:** TD's ruling upheld

### Appeals Committee's comments:

South hesitated over 4♠ suggesting he was thinking of bidding on.

The agreed slow Pass suggested that 5♥ would be more successful than Pass by North. Pass is clearly a logical alternative (North hold decent spades). Therefore the contract is adjusted to 4♠=

We considered the likelihood of South switching to a club at trick 2, but we felt this was sufficiently unlikely for us to award a weighted score.

## **APPEAL No: 10.057**

### **Barry Rigal's comments:**

I'm torn here. I very much like the direction of the TD ruling and feel that I can't over-ride it. Having said that when partner jumps to 4♥ and you have three trumps shouldn't you bid 5♥. I guess your soft spade cards argue that there is a Logical Alternative to bidding. Good decision –and kudos to the TD.

### **Jeffrey Allerton's comments:**

Good work by the TD and the AC.

### **Andy Bowles' comments:**

I agree with adjusting to 4♠, but I'm not sure that it would always make. If South knows that North has an odd number of hearts, he is on a guess as to whether to play his partner for a singleton heart and ♠K8x or better, or a singleton club and any ♠Kxx. A priori, the chance of East's being 74xx is rather lower than the chance of his being 7222, so South might be expected to get the defence right some of the time. Of course, this depends upon who South is.

### **Heather Dhondy's comments:**

The details suggest that a poll of players was taken, but not what they would bid. I wonder what question was asked, since the only information we have is that they suggest that 5♥ is demonstrably suggested by the hesitation. Surely the question that should be asked is “what call do you make in the sequence...”. I would bid 5♥ for more-or-less the reasons given.

### **Richard Hills' comments:**

Was a deposit taken? If not, why not? If so, was the deposit retained? If not, why not?

### **Frances Hinden's comments:**

I have a lot of sympathy with the argument that pass is not a LA (certainly I would bid 5♥ at the table with no UI), however I dislike it when South makes it easy for North to bid by passing slowly. Thus I agree with the ruling: if you want partner to show off his good judgement in a marginal auction, don't give him UI.

### **Paul Lamford's comments:**

AC ruling is fine.

# APPEAL No: 10.060

**Tournament Director:** Martin Lee

**Appeals Committee:** Neil Rosen (Chairman), Heather Dhondy and Jon Cooke

<p>♠ J954 ♥ A Q 103 ♦ 3 ♣ 9763</p> <p>♠ A 10762      ♠ - ♥ 7              ♥ K865 ♦ K92            ♦ A 1074 ♣ A 1084        ♣ KQJ52</p> <p>♠ KQ83 ♥ J942 ♦ QJ865 ♣ -</p>	<p>Board 6 : Dealer East : EW vulnerable : Swiss Teams</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td></td><td></td><td>1♣ A</td><td>Pass</td></tr><tr><td>1♠</td><td>Pass</td><td>2♣</td><td>Pass</td></tr><tr><td>3♥ (1)</td><td>Pass</td><td>4♥</td><td>Pass</td></tr><tr><td>5♣</td><td>All Pass</td><td></td><td></td></tr></tbody></table> <p>(1) Not alerted. Intended as a Splinter but East unsure of the meaning but 'believed it must have been natural', hence bid 4♥ + no alert. ***This is a new partnership.***</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>			1♣ A	Pass	1♠	Pass	2♣	Pass	3♥ (1)	Pass	4♥	Pass	5♣	All Pass		
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																		
		1♣ A	Pass																		
1♠	Pass	2♣	Pass																		
3♥ (1)	Pass	4♥	Pass																		
5♣	All Pass																				

## Basic systems:

North-South: Weak NT and 3 weak 2's

East-West: 5 card majors, strong NT and short club.

**Result at table:** 5♣= by East

**Director first called:** At end of play of the board by North.

## Director's statement of facts:

Called by North at the end of the play of the board. He contended that had 3♥ been alerted he would have doubled it for a heart lead. Also, he felt that with the 'cue-bidding' he could not understand how the auction stopped in 5♣. I reviewed the auction and the facts were agreed. West intended 3♥ as a splinter, East, unsure of its meaning. West stated she felt that East's bid of 4♥ was 'control showing'. Later, as a supplementary question, I asked why West did not bid 4♠ (cue bid). The reply was 'My partner had denied controls in spades and diamonds by not bidding either 3♠ or 4♦. I felt we had 2 losers and thus bid 5♣.

## Director's ruling:

Weighted scores:            80% of 6♣-1 for +100 to NS

                                     20% of 5♣= by East for -600 to NS (By a different route: 1♣, 1♠, 2♣, 3♥, 4♥, 4♠5♣)

**Details of ruling:** The lack of an alert of 3♥ by East is UI to West. Award of an adjusted score for the use of UI. L16B1, L12C1(c), L73C

**Appeal lodged by:** E/W

**Basis of appeal:** Do not agree NS were damaged.

## Director's comments:

East contends that if she was playing in 6♣ on the Q♦ lead she can make the contract. South contends that she may have led differently against 6♣ especially if her partner had doubled 3♥. Alternative auctions considered were:

(1) 1♣ - 1♠; 2♣ - 3♥; 4♥ - 4♠; 5♣ - Pass 20% of the time or

(2) 1♣ - 1♠; 2♣ - 3♥; 4♥ - 6♣ or

(3) 1♣ - 1♠; 2♣ - 3♥; 4♥ - 5♦; 6♣ (2) or (3) 80% of the time.

## APPEAL No: 10.060

### Comments by East-West:

I believe that when partner forgets to alert a conventional bid it is one's responsibility to continue bidding as if an alert had been made. Assuming that my partner had interpreted my bid correctly, I feel that she had made a reaction cue bid which denied a control in spades or diamonds. In which case I am not worth even a slam try.

In fact, our agreement is that 5♣ is more forward going than 4NT so I had made a mild effort.

Partner was unsure of the meaning of 3♥ and did her best to be ethical. Had LHO doubled 3♥ the problem would not arise since partner would pass. Since we have no agreement, how can there be UI?

### Appeals Committee decision:

TD's ruling upheld and deposit returned.

### Appeals Committee's comments:

East had a choice whether to bid 4♥ or 4♦. She chose the 'safer option'. West then had the choice of 4♠, 4NT or 5♣. We believe the UI helped him to choose 5♣ over either of the other possible choices. If she had chosen 4♠ or 4NT we believe that slam would *definitely* be reached.

### Barry Rigal's comments:

This is a sensible decision but the write-up does not discuss the right issues. Let's go back to basics. Had North doubled 3♥ as he claimed he would have done, then when East passes West removes and there is no ambiguity. Slam would not be reached. So North has no claim that he was damaged by the failure to alert.

Over 3♥ if North passes and East raises to 4♥ – the question of choosing the safer option is completely irrelevant since he can do whatever he wants – the only question is what West does next, in possession of UI. Now he could reasonably argue that AI tells him partner has forgotten the agreement, if you don't buy that what would he do facing a heart cuebid where partner has no diamond control? It's certainly close between 4♠ and 5♣. I'll buy the TD decision but would have been more generous to E/W.

### Paul Lamford's comments:

I cannot find a way to make Six Clubs on any lead by South. If one disallows the 5C bid, then I agree the slam will definitely be reached. The actual ruling seems Reveleyesque and 100% of 6C-1 seems right.

### Tim Rees' comments:

I agree with the TD's reasoning and ruling. However, although the AC has upheld the ruling, they have made a couple of strange comments. Firstly, they have commented on East choosing 4♥ rather than 4♦. East is entitled to do what she wants – she has no UI.

Secondly, they have said that if West bid 4♠ or 4NT, slam would definitely be reached. If they believed that, then they should have amended the ruling to 6♣-1. Allowing a percentage of 5♣= would be allowing some percentage of a 5♣ bid by West – this is not allowed (a Reveley ruling).

### Richard Hills' comments:

In my jaundiced opinion North-South, the Director and the Appeals Committee adopted the fallacy, "If there is Unauthorised Information, shoot it!" Suppose, in a parallel universe, West had driven to slam and 6♣ had been cold. Then I believe that the parallel North-South would again have summoned the Director. The parallel TD and the parallel AC would have adjusted the score from 6♣ to 5♣ with an overtrick. The parallel TD and the parallel AC would have given a correct ruling. West has UI that West's heart control is believed by East to be a mere heart suit. This Law 16B "demonstrably suggests" that West should bid 6♣, contrary to West's actual signoff in 5♣.

Not any Law 16B infraction, not any adjusted score.

## APPEAL No: 10.060

### Jeffrey Allerton's comments:

The AC's comments are not consistent with upholding the TD's ruling. They state that if West had chosen 4♠ or 5♣ slam would definitely be reached. Thus either they allow the 5♣ bid (table result stands) or they rule it to be a breach of UI in which case any weighted score can only involve the slam(s) they are deemed to reach.

West consulted me about this ruling and with my knowledge about the E/W slam agreements, I would have come to a different conclusion to the TD/AC.

- (i) If West cue bids 4♠, East (who is unsure of the meaning of 3♥, remember) will surely bid 5♣ to cater for both possibilities (an Italian cue bid if partner thinks hearts are agreed; natural, but more encouraging than 4NT if partner was agreeing clubs) and West will probably pass.
- (ii) If West bids 4NT, East will interpret this as either being discouraging with clubs agreed (in which case she'll sign off in 5♣) or as RKCB in hearts in which case she'll respond 5♣ (0 or 3 key cards for hearts). West would again assume partner was signing off and just pass 5♣.

So in practice, I believe that E/W would almost certainly have fallen on their feet and reached 5♣ anyway.

### Robin Barker's comments:

The AC comments are not consistent with upholding the TD's ruling. In particular, the AC do not give any weighting to the TD's alternative auctions to 5♣. It is wrong (Reveley) to give any weighting to auctions where West bids 5♣; if the alternatives to 5♣ will definitely reach slam then the ruling should be 100% of slam going off.

### Frances Hinden's comments:

The AC's comments imply an adjustment to 100% of 6♣-1, so I don't understand why they then upheld the TD's ruling. Personally, I don't know the right ruling without understanding more about the EW cue-bidding methods. If 4♥ really denied both first and second round spade and diamond controls then West has a perfectly legal 5♣ bid, but would East cuebid a singleton spade in partner's suit looking at, say, x Axx QJx KQJxxx?

### Andy Bowles' comments:

The committee's comments seem inconsistent with their ruling. If a 4♠ or 4NT bid would definitely lead to slam (I agree), then the score can't be split between 5♣ and 6♣: either the 5♣ bid is legal, in which case there is no adjustment, or the 6♣ bid is illegal, in which case the adjustment should be to 100% of some slam.

East's claim about making 6♣ wasn't addressed in the writeup, but anyway I don't think it works. After a diamond lead won in hand, club to dummy, heart to the ace, club won in hand, heart ruff, spade ruff, you have only eleven tricks. You can't ruff another heart without losing trump control.

# APPEAL No: 10.061

**Tournament Director:** James Vickers

**Appeals Committee:** Chris Dixon (Chairman), Paula Leslie and Richard Probst

<p>♠ J432 ♥ 3 ♦ KJ4 ♣ KQJ82</p> <p>♠ 65                      ♠ KQ9 ♥ K10986                ♥ 72 ♦ AQ                        ♦ 98753 ♣ 9654                    ♣ A103</p> <p>♠ A1087 ♥ AQJ54 ♦ 1062 ♣ 7</p>	<p>Board 12 : Dealer West : NS vulnerable</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td>Pass</td><td>1 ♣</td><td>Pass</td><td>1 ♦ (1)</td></tr><tr><td>Pass</td><td>1 ♠</td><td>Pass</td><td>4 ♠</td></tr><tr><td>All Pass</td><td></td><td></td><td></td></tr><tr><td>(1)</td><td>Showing hearts</td><td></td><td></td></tr></tbody></table>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>	Pass	1 ♣	Pass	1 ♦ (1)	Pass	1 ♠	Pass	4 ♠	All Pass				(1)	Showing hearts		
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																		
Pass	1 ♣	Pass	1 ♦ (1)																		
Pass	1 ♠	Pass	4 ♠																		
All Pass																					
(1)	Showing hearts																				

## Basic systems:

North-South: Not provided

East-West: Acol and weak 2's, vs suits 9 8 7 x

**Result at table:** 4♠-1 by North -100

**Director first called:** At the end of play.

## Director's statement of facts:

North had asked about EW's leads at trick 3 and was told by West "standard". North thought this might be a doubleton, but did not ask further or consult the convention card for fear of alerting EW of the significance of the lead.

Play: 9♦ to the A, then ♣ to the K and A, Q♥ covered and ruffed. J♠ to Q and A. A low heart from dummy, ruffed and overruffed. North tried to return to hand with a heart ruff for fear that East has 9x of diamonds and Q9x of spades and could suffer a diamond ruff.

**Director's ruling:** Table score to stand.

**Details of ruling:** Although the description 'standard' is not acceptable, North could have asked further questions to clarify the situation and has acted on the basis of his own misunderstanding. EW were instructed to correct their CC and provide full answers to questions in future.

OB 3B8, OB 3B2, L40B6(b)

**Note by editor:** The statement of facts is missing some of the play between trick two and the third round of hearts.

**Appeal lodged by:** N/S

## Director's comments:.

If 'standard' means anything it could just as well cover the lead of the 9 from 987x as from 9x. Although L40B6(b) applies, the score was not adjusted as the explanation did not cause damage. An IOU was accepted in lieu of a deposit.

**Appeals Committee decision:** TD's ruling amended.

20% of 4♠= by North +620

80% of 4♠-1 by North -100

## **APPEAL No: 10.061**

### **Appeals Committee's comments:**

There was misinformation about the lead agreement. Declarer suffered some limited damage. However, the chosen line of play was clearly inferior to others.

### **Tim Rees' comments:**

"Standard" is a poor description, but North should have done more to protect himself by looking at the convention card. Nines are particularly susceptible to individual interpretation.

The AC has decided there was misinformation and that it caused damage. In that case, I would have expected a larger proportion than 20% for 4♠=. If the AC felt that North had seriously misplayed the hand, a split score could be appropriate, giving both sides a poor score.

### **Jeffrey Allerton's comments:**

Why did declarer not look at the E/W convention card during the play? I don't see how consulting it would help the defenders. Whilst it is dangerous for West to use expressions like "standard" it is equally dangerous for North to make an assumption as to what that term means without seeking further clarification. What was the E/W agreement, if any, about leading from this holding? Was the convention card filled in incorrectly or did East violate the agreement?

### **Robin Barker's comments:**

I am not sure that the facts are clear. If they lead 9 from 987x and 987xx, then "standard" is not misinformation. If the convention card showed 8 from 987x and this is not their agreement then the convention card should be corrected; but the opponents did not look at the convention card. Nines are particularly susceptible to individual interpretation., there is still no misinformation. I see no basis for "there was misinformation about the lead agreement".

### **Heather Dhondy's comments:**

Having consulted the EBU convention card, it refers to "standard" leads as being those underlined in that section. In that section 2<sup>nd</sup> highest from low cards is underlined, therefore I am surprised that the director's comments. "Standard" is not a good definition, but if it means anything, it should mean according to the EBU CC. I agree with the AC.

### **Frances Hinden's comments:**

There is fault on both sides here. 'Standard' is not an adequate explanation and both sides should realise that. There doesn't appear to have been any investigation into whether the opening lead was systemic for E/W or not, or whether they actually have any agreement about what to lead from five low cards. The comments indicate that no-one knows what 'standard' actually is, but in my opinion it doesn't include top from five (either 2<sup>nd</sup> or 4<sup>th</sup> highest) so if the 9 was according to the EW methods, I think there was MI in which case the adjustment is reasonable.

### **Paul Lamford's comments:**

AC decision seems good.

### **Barry Rigal's comments:**

Without a clear statement of the line of play we have no idea what declarer actually did. The standard of this write up is truly unacceptable.



## APPEAL No: 10.063

**Tournament Director:** Martin Lee

**Appeals Committee:** Jeremy Dhondy (Chairman), Gillian Fawcett and Malcolm Pryor

<p>♠ 1062 ♥ 62 ♦ KJ742 ♣ Q108</p> <p>♠ KQ                      ♠ A943 ♥ AKQ103                ♥ 75 ♦ A6                        ♦ 83 ♣ A543                    ♣ K9762</p> <p>♠ J875 ♥ J984 ♦ Q1095 ♣ J</p>	<p>Board 23 : Dealer South : All vulnerable</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td></td><td></td><td></td><td>Pass</td></tr><tr><td>2♣ A (1)</td><td>Pass</td><td>2♠ A (2)</td><td>Pass</td></tr><tr><td>2NT</td><td>Pass</td><td>3♣ A (3)</td><td>Pass</td></tr><tr><td>3NT</td><td>Pass</td><td>4♣</td><td>Pass</td></tr><tr><td>5♣</td><td>Pass</td><td>6NT</td><td>All Pass</td></tr></tbody></table> <p>(1) Only strong bid. (2) 3 controls (3) 5 card Puppet Stayman</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>				Pass	2♣ A (1)	Pass	2♠ A (2)	Pass	2NT	Pass	3♣ A (3)	Pass	3NT	Pass	4♣	Pass	5♣	Pass	6NT	All Pass
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																						
			Pass																						
2♣ A (1)	Pass	2♠ A (2)	Pass																						
2NT	Pass	3♣ A (3)	Pass																						
3NT	Pass	4♣	Pass																						
5♣	Pass	6NT	All Pass																						

**Basic systems:** North-South: Weak NT, Multi 2♦, strong 2♥ and 2♠; East-West: Weak NT, 3 weak 2's

**Result at table:** Disputed claim for 6NT

**Director first called:** At trick 9 after a claim at this point by West

**Director's ruling:**

Declarer is West and at trick 8 he plays the A♠ from dummy and then claims the rest with no immediate stated line of play. He also faces his cards having pitched a losing card from his hand on A♠. Subsequent to the claim he states that he would play 9♠ from dummy to pitch his losing 6♦ (from hand). This was the situation:

<p>♠ 10 ♥ void ♦ KJ74 ♣ void</p> <p>♠ void                      ♠ A9 ♥ AKQ10                    ♥ 75 ♦ 6**                        ♦ 3 ♣ void                      ♣ void</p> <p>♠ void ♥ J984 ♦ 10 ♣ void</p>	<p>Board 23 : Dealer South : All vulnerable ** 6♦ stuck behind Q♥</p>
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NS had not followed to A♠ on trick 8 when the claim was made. All hands were faced and South pitched 10♦. I asked West to 'replay' how he made his claim. West then stated that when he made his claim he thought that all he had left in his hand was AKQ♥ with the 6♦ stuck behind the Q♥ and not visible until he faced his cards at which point he then stated that he would pitch the 6♦ on the 9♠.

I ruled that when the claim was made West clearly thought he had won the last 3 tricks and thus it was his initial intention to play x♥ from dummy. Only when the 6♦ was found was the 9♠ mentioned. I ruled that he had been careless and that he should lose the 6♦ at trick 13 to NS.

**Details of ruling:** L68A, L68C, L70 D1 & 2 + footnote 22

**Appeal lodged by:** E/W

**Basis of appeal:** Do not agree.

**Appeals Committee decision:** TD's ruling amended. That the claim is good and that 6NT makes.

## APPEAL No: 10.063

**Appeals Committee's comments:** When West claimed he believed he knew the 9♠ was good and he indicated before North and South had shown their cards that he would play this. It was a claim L68A and the clarification was clear L68C

### **Barry Rigal's comments:**

I've never come across a position where declarer corrects his claim before the opponents say anything. I guess I'd allow it for the reason that declarer must have seen the ♠J appear and would see the ♠10 appear on this trick. Grudgingly, I agree.

### **Heather Dhondy's comments:**

I agree with the TD that if declarer thought that all he had left in his hand was ♥AKQ, then even if he knew the ♠9 was good, he would probably lead a ♥ now if he had not made the claim thus revealing the additional card.

The problem is that, having tabled his cards, the extra card was revealed and he therefore amended his line of play. He knew that the ♠9 was good, that much seems clear, so knew he had the rest of the tricks even after the diamond was revealed.

I'm left with the feeling that, had he not claimed, he would have gone down, so would be minded to give that ruling, but I'm really not sure.

### **Jeffrey Allerton's comments:**

The correct ruling might depend on the exact order of events, but from the write-up it seems that declarer believed he was discarding his last loser from hand (♥10) on dummy's ♠A. For someone who believes that his last three cards are ♥AKQ, playing a heart from dummy seems like a 'normal' line.

### **Robin Barker's comments:**

I think that cashing ♠9 was "a successful line of play not embraced in the original clarification statement" (Law 70D1). There was no clarification statement and the "cashing ♠9" line was subsequent to the claim. When declarer shows ♥AKQ as his remaining cards (having discarded ♥10 on ♠A) playing a heart from dummy to cash the remaining tricks in hand (as he thinks) is "an alternative normal line of play that would be less successful" (again Law 70D1). I agree with TD that Law 70D1 applies and disagree with the AC that "cashing ♠9" was a clarification statement (Law 68C).

### **Richard Hills' comments:**

The Appeals Committee is wrong in Law. The deadline for West's Law 68C clarification is not as late as "before North and South had shown their cards". Rather, Law 68C states:

*A claim should be accompanied AT ONCE by a clear statement as to the order in which cards will be played, of the line of play or defence through which the claimer proposes to win the tricks claimed.*

### **Frances Hinden's comments:**

At the point when he claimed, declarer was intending to play a heart from dummy next. It was the action of claiming that revealed the bonus diamond loser. If he'd held off claiming until the start of the next trick, he would have gone down, but it seems that he might well have been able to state a line of play sufficiently smoothly that the 'hidden' ♦6 never even came to light, and so I think the AC is right.

### **Paul Lamford's comments:**

The question is whether playing a heart from dummy is a normal careless line. I think it is worse than careless and I would allow the claim, but where the dividing line between careless and "irrational" lies, I am not certain.

### **Tim Rees' comments:**

I think this one's tricky. West appears not to have known what was in his hand at the time of the claim, and it was the mechanics of the claim that caused the diamond to be discovered. I believe that had West not claimed at this point, he would have led a heart from dummy without cashing a second spade and gone down. However, the AC has ruled that the claim statement was in time, in which case the contract has to be allowed to make.

# APPEAL No: 10.064

**Tournament Director:** Steve Quinn

**Appeals Committee:** Tim Rees (Chairman), Heather Dhondy

<p>♠ Q4 ♥ AKQ3 ♦ 10983 ♣ Q98 ♠ J109873      ♠ AK52 ♥ 109876      ♥ - ♦ 4              ♦ AJ762 ♣ 6              ♣ A1032  ♠ 6 ♥ J542 ♦ KQ5 ♣ KJ754</p>	<p>Board 3 : Dealer South : EW vulnerable</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td></td><td></td><td></td><td>Pass</td></tr><tr><td>Pass</td><td>1♣ A (1)</td><td>2NT A (2)</td><td>Dbl</td></tr><tr><td>3♥</td><td>Dbl</td><td>4♦</td><td>Dbl</td></tr><tr><td>4♠</td><td>Pass</td><td>Pass</td><td>Dbl</td></tr><tr><td>All Pass</td><td></td><td></td><td></td></tr><tr><td>(1)</td><td>Could be short clubs</td><td></td><td></td></tr><tr><td>(2)</td><td>Explained by West as Unusual NT-lowest 2 unbid suits</td><td></td><td></td></tr></tbody></table>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>				Pass	Pass	1♣ A (1)	2NT A (2)	Dbl	3♥	Dbl	4♦	Dbl	4♠	Pass	Pass	Dbl	All Pass				(1)	Could be short clubs			(2)	Explained by West as Unusual NT-lowest 2 unbid suits		
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Pass	1♣ A (1)	2NT A (2)	Dbl																														
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4♠	Pass	Pass	Dbl																														
All Pass																																	
(1)	Could be short clubs																																
(2)	Explained by West as Unusual NT-lowest 2 unbid suits																																

### Basic systems:

North-South: Nothing noted

East-West: 2 over 1

**Result at table:** 4♠x+2 by West

**Director first called:** At completion of play.

### Director's statement of facts:

2NT explained by West as two lowest unbid [suits], but East stated that she meant it as a minor and a major and she believes that is their system.

**Director's ruling:** Double of 4♠ removed.

### Details of ruling:

N/S would not have doubled with the knowledge that East could have diamonds and spades. L21B1

**Appeal lodged by:** E/W

**Basis of appeal:** None provided.

**Appeals Committee decision:** TD's ruling upheld and deposit returned.

### Appeals Committee's comments:

E/W have UI from the explanation of 2NT. Without this East might (should) have bid 3♠ (3♥ is pass or correct). South would pass, West would raise to 4♠ and this would not be doubled.

The potential MI to N/S is irrelevant in this case as the UI happened first. The final double by South in the actual auction is not relevant.

### Jeffrey Allerton's comments:

I agree with the AC.

## **APPEAL No: 10.064**

### **Robin Barker's comments:**

I am not sure this is a UI case – does the explanation of 2NT from West suggest 4♦ over 3♠? This sort of unauthorised information usually suggest bidding a suit partner does not think you can have, so that partner will wake up to the correct explanation – to me this means the unauthorised information suggests 3♠ over 4♦.

### **Frances Hinden's comments:**

I have to admit I struggle with this one, as I don't understand West's actions opposite a (supposedly) minor two-suiter, and East's hand also has no relation to the auction. However, South's double is clearly a lot more tempting if RHO has the minors given that LHO bid hearts first, then spades.

### **Paul Lamford's comments:**

3♥ does not seem to have been alerted as pass or correct, and East bid 4♦ as it was her longest suit. It does not look logical to pass 3Hx when partner has not opened with a weak two hearts. There was clearly MI, in that it is assumed that "a minor and a major" is the correct method, as I presume the CC was silent on the matter. South might have wondered why his partner did not double 4♠, but I don't think his double is SEWoG, as he has hearts and clubs over what he was told was hearts.

### **Barry Rigal's comments:**

I can see why E/W should get 4♠+2, but South's action seems unlinked to the opponents exploitation of UI. Subsequent not consequent. I'd leave them with the table result.

# APPEAL No: 10.065

**Tournament Director:** Mike Amos

**Appeals Committee:** Frances Hinden (Chairman), Jeff Smith and Gunnar Hallberg

♠ 10863		Board 18 : Dealer East : NS vulnerable			
♥ 10743		<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
♦ J				1♥	Pass
♣ QJ86		2♦	Pass	3♥	Pass
♠ QJ752	♠ A	3♠ A	Pass	4♣	Pass
♥ -	♥ AKJ865	4♦	Pass	4NT	Pass
♦ AQ107432	♦ K98	6♦	All Pass		
♣ 10	♣ K73				A explained by East as Cue Bid at
	♠ K94				
	♥ Q92				
	♦ 65				
	♣ A9542				

## Basic systems:

North-South: No information provided

East-West: Acol, Roman Key Card Blackwood 1/4

**Result at table:** 6♦+1

**Director first called:** At end of play by North

## Director's statement of facts:

North expressed concern about UI in the auction. East had alerted 3♠ when West had intended it as natural and then bid 4NT on the next round after 4♣ and 4♦. He agreed he had intended it as Blackwood. I asked why he bid 6♦ and he said because his hand shape was 5-0-7-1 and he wanted to play in diamonds. No suit had been agreed.

NS also said that South would have doubled 4♣ cue bid if he had not thought hearts agreed and his lead.

**Director's ruling:** 6NT-2 by East

## Details of ruling:

West has UI which suggests partnership has had a misunderstanding. This means that responding to 4NT with 6♦ makes it clear to partner that this is where he wants to play. L16 and L12

**Appeal lodged by:** E/W

**Basis of appeal:** No reason given.

## Director's comments:

TD believes that it is clear LA to make normal response to 4NT- ie to show 1 Key card. East it is believed will bid 6♥. It is not clear what the outcome will be but the exact result will make little difference. TD ruled 6NT-2

**Appeals Committee decision:** Appeal upheld and deposit returned. No LA to 6♦. Table result reinstated - 6♦+1

**Appeals Committee's comments:** This is a murky auction in any case and we think West will always bid 6♦ with or without an alert.

## Barry Rigal's comments:

No LA to 6♦?? Give me a break! That is not the way LA cases are decided.

## APPEAL No: 10.065

I much prefer the TD ruling to the AC. I have no idea what West should bid if not to show one ace, and then maybe East will bid 6♦? The end result may be reasonable; the process...not so much.

### **Tim Rees' comments:**

I agree that with no information (e.g. with screens), West would realise that the auction was murky and would almost certainly bid 6♦. But is that the right question to ask? Suppose East hadn't alerted West's 3♠ bid. Might not West assume that 4NT was Blackwood for one of his suits, and respond 5♦? It's the same response whichever suit is trumps.

### **Richard Hills' comments:**

A clause in the WBF Code of Practice (which clause has been given the status of an EBU regulation) states:

#### ***Inclination of committee***

*The expectation is that each appeal committee will presume initially that the Director's ruling is correct. The ruling is overturned only on the basis of evidence presented. For this reason the Director must inform the committee if a ruling in favour of the non-offending side reflects a margin of doubt that continues to exist after the appropriate consultation procedure.*

East-West refused to give any new evidence about their partnership agreement responses to Keycard Blackwood (as opposed to UI-assisted responses to Keycard Blackwood) in their appeal, so in the absence of such new evidence the Appeals Committee should have upheld the Director's ruling.

### **Jeffrey Allerton's comments:**

I prefer the TD's reasoning to the AC's.

### **Heather Dhondy's comments:**

I agree that the auction is murky and it is unclear what West will do without the UI, however given that he knows a wheel has come off, it makes it much safer for him to mastermind the auction with a jump to 6♦ and given that there are (I would think) logical alternatives to refusing to answer the question asked, it should not be allowed. I agree with the TD.

### **Paul Lamford's comments:**

I am not sure that the UI suggests very much. Six Diamonds looks a normal bid, and I agree with the AC.

## APPEAL No: 10.067

**Tournament Director:** Gordon Rainsford

**Appeals Committee:** Paul Hackett (Chairman), Tom Townsend and Richard Bowdery

♠ J93		Board 2 : Dealer East : NS vulnerable : Matchpointed Pairs			
♥ J4		<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
♦ 653				Pass	2♣
♣ AQ762		2♥	3♣	4♥	5♥
♠ 1086	♠ 5	Pass	6♣	Pass	6♠
♥ KQ953	♥ 108762	Pass	Pass	7♥	Pass
♦ 974	♦ QJ	Pass	Dbl H	Pass	7♠
♣ J9	♣ K10843	All Pass			
♠ AKQ742		H	Hesitation		
♥ A					
♦ AK1082					
♣ 5					

### Basic systems:

North-South: No information provided.

East-West: No information provided.

**Result at table:** 7♠=

**Director first called:** At the end of the auction.

### Director's ruling:

The slow double expressed doubt and the player said that she was unsure whether to double or bid 7♠. L16B

Pass is a LA

**Appeal lodged by:** N/S

**Basis of appeal:** None given.

**Appeals Committee decision:** TD ruling upheld and the deposit forfeited.

### Appeals Committee's comments:

We consider the appeal frivolous and South should have known better that to appeal.

### Barry Rigal's comments:

I'm available to remove South's fingernails as a more appropriate level of punishment. The word 'unXXXXXXXXbelievable' comes to mind for this appeal.

### Jeffrey Allerton's comments:

I agree with the AC's decision to keep the deposit. However, I believe that a procedural penalty is appropriate as the UI seems to be South's reason for changing his mind.

### Robin Barker's comments:

I agree with TD/AC and the deposit being forfeited.

### Heather Dhondy's comments:

Curious. South appears to have made his decision when he passes (forcing) 7♥. Looking just at the North-South hands it would appear that North got it right to double, and South's undisciplined 7♠ bid got very lucky. I understand why the committee ruled as they did, after all a slow double suggests doubt, and South has inexplicably

## **APPEAL No: 10.067**

changed his mind. However, I wonder how many players would consider they had an “obvious” double or 7♠ bid on this auction, whatever their hand was? In other words, I’m suggesting that no call in this sequence is likely to be made quickly, so the information given by the hesitation is unlikely to be very revealing.

### **Frances Hinden’s comments:**

Where was the PP to South? Keeping the deposit is the penalty for a frivolous appeal; a flagrant breach of the UI Laws deserves a score penalty.

### **Paul Lamford’s comments:**

Again a Rainsford Ruling Reigns. This one was easy however, and the AC was right to keep the deposit. However, I believe that a procedural penalty is appropriate as the UI seems to be South’s reason for changing his mind.

### **Tim Rees’ comments:**

This one’s clear-cut: keep the money (they did). The fact that 7♠ is a fluke make is irrelevant – South has taken advantage of UI and achieved a better result as a consequence.



## APPEAL No: 10.070

**Tournament Director:** Chris Benneworth

**Appeals Committee:** Brian Senior (Chairman), Michelle Brunner and Fiona Brown

<p>♠ J74 ♥ Q1042 ♦ A9642 ♣ 4</p> <p>♠ K108653      ♠ A92 ♥ J5              ♥ A986 ♦ 3                ♦ J75 ♣ 10763        ♣ 852</p> <p>♠ Q ♥ K73 ♦ KQ108 ♣ AKQJ9</p>	<p>Board 1 : Dealer North : Love all : Matchpointed Pairs</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td></td><td>Pass</td><td>Pass</td><td>1♣</td></tr><tr><td>Pass</td><td>1♦</td><td>Pass</td><td>3♠ A (1)</td></tr><tr><td>Pass</td><td>3NT H (2)</td><td>Pass</td><td>4♦</td></tr><tr><td>Pass</td><td>5♦</td><td>All Pass</td><td></td></tr><tr><td>(1)</td><td>Not alerted</td><td></td><td></td></tr><tr><td>(2)</td><td>After agreed hesitation</td><td></td><td></td></tr></tbody></table>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>		Pass	Pass	1♣	Pass	1♦	Pass	3♠ A (1)	Pass	3NT H (2)	Pass	4♦	Pass	5♦	All Pass		(1)	Not alerted			(2)	After agreed hesitation		
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																										
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Pass	3NT H (2)	Pass	4♦																										
Pass	5♦	All Pass																											
(1)	Not alerted																												
(2)	After agreed hesitation																												

### Basic systems:

North-South: Weak NT, 4 card majors, 3 weak 2's

East-West: Reverse Benji Acol. Leads 4<sup>th</sup> highest and 2<sup>nd</sup> highest from poor suit

**Result at table:** 5♦ = by North

### Director's statement of facts:

I was called to the table by EW at the end of the auction to reserve rights – facts as above were agreed. South has UI from two sources – the failure to alert 3♠ and North's hesitation before bidding 3NT.

The question then arises of how many tricks NS will make in 3NT. On 2♠ lead, although it appears that the suit is blocked, in practice North will play J♠ on the spade return at trick 2 and EW will take 6 spades and 1 heart.

**Director's ruling:** Score adjusted to NS -150

### Details of ruling:

UI and LA. TD's power to award adjusted score. L16B1(a) & (b), L16B3 and L12C1a

**Appeal lodged by:** N/S

**Basis of appeal:** 4♦ bid is obvious and in 3NT spade suit is blocked so 3NT will make 9, 10 or 11 tricks

**Appeals Committee decision:** TD's ruling upheld and deposit returned.

### Appeals Committee's comments:

We consider that Pass is not only a LA but a clear cut action. As there was UI, 4♦ cannot be permitted. We believe that East knew what 3♠ meant and that North probably did not making the 2♠ a very attractive lead.

To play the J♠ at trick 2 is normal play, the alternative being much against the odds particularly given West's Pass over 1♣.

### Tim Rees' comments:

The first basis for appeal is highly dubious. 4♦ is not at all obvious; in fact it is a blatant attempt to take advantage of the UI. I think it's worthy of a PP.

The second basis (the play of the spade suit) has slight merit, but not enough to justify returning the deposit (especially considering the attempt to justify the 4♦ bid)

## **APPEAL No: 10.070**

### **Jeffrey Allerton's comments:**

I agree with the TD and the AC.

### **Robin Barker's comments:**

The TD seems to have considered all the relevant questions and the AC agreed with his answers.

### **Heather Dhondy's comments:**

Agree completely with the TD and AC.

### **Richard Hills' comments:**

I agree that South passing 3NT is not only the clear-cut action but also the actively ethical action. So I would retain the deposit, but presumably the Appeals Committee returned the deposit due to the North-South argument that the spade suit could be blocked.

### **Frances Hinden's comments:**

N/S should be given a PP for (again) the blatant use of UI in pulling 3NT. Possibly their argument about the play in 3NT could be considered to have some merit and hence justify returning the deposit, but they didn't come up with any new arguments for the appeal so I struggle to see its merit.

### **Paul Lamford's comments:**

Not sure why this deposit was returned, as neither of the points made by the appellants were valid or new.

Why wouldn't East lead a heart some of the time? This should at least be considered? I agree with the basic approach – I'm not sure E/W are due the full bonus here.

# APPEAL No: 10.071

**Tournament Director:** Mike Amos

**Referee:** Jeff Smith

<p>♠ AKQ1072 ♥ 103 ♦ 943 ♣ J5</p> <p>♠ - ♥ K986 ♦ AK85 ♣ AKQ82</p> <p>♠ J95 ♥ QJ ♦ J1072 ♣ 9763</p>	<p>Board 15 : Dealer South : NS vulnerable : IMPs to VPs (with screens)</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td></td><td></td><td></td><td>Pass</td></tr><tr><td>1♣ A</td><td>2♦</td><td>All Pass</td><td></td></tr></tbody></table> <p>Note: opposite an unpassed hand 2♦ would systemically have shown a jump overcall in either major.</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>				Pass	1♣ A	2♦	All Pass	
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>										
			Pass										
1♣ A	2♦	All Pass											

## Basic systems:

North-South: Strong club, complex

East-West: 5 card majors, prepared minor

**Result at table:** 2♦ -4 by North

**Director first called:** End of play

## Director's statement of facts:

I was told NS had given different explanations. They explained that they played different methods after partner had passed. North said he had overlooked South's Pass. The partnership agreement was that this bid showed a WJO in diamonds. East argued that if he had been told this he would have doubled for T/O. Both South and West might have passed this. North argued he would have bid 2♠ - there was some disagreement. TD was left to rule.

Result in the other room: 5♣ +1 by EW

**Director's ruling:** Weighted score: 80% of 6♥ +1 for -1010 and 20% of 4♥ +3 for -510

## Details of ruling:

If East doubles the auction may take various routes. TD did not believe North would Pass 2♦ x but would bid 2♠ E/W more likely than not to reach slam

**Appeal lodged by:** N/S

**Basis of appeal:** NS don't think double is normal.

## Appeals Committee decision:

TD's ruling amended. In essence, the AC accepts the basis of the appeal that double is not 'normal' but is an action by aggressive players of this standard quite often.

Adjusted weighted scores:	20% of 2♦ - 4 -400 (+420)	20% x -1.0 = -0.2
	20% of 4♥ + 3 -510 (+420)	20% x 3.0 = 0.6
	60% of 6♥ + 1 -1010 (+420)	60% x 11.0 = 6.6
	Total = + 7.0 imps	

## **APPEAL No: 10.071**

### **Appeals Committee's comments:**

I polled several players and it was evident that they did not chose to double automatically. However, most of them did double albeit reluctantly since it was not felt an entirely sound action. I was also not convinced that the slam would be reached 80% of the time.

I also felt that West's Pass of the 2♦ bid strongly suggested that he expected East to Sputnik double on very minimum values. Hence East would have doubled given the right explanation.

I have not included the possibility of 2♦x passed out, since I believe that North will always pull to 2♠.

### **Barry Rigal's comments:**

With N/S the offenders the idea of adjusting the score generously to E/W seems right.

### **Tim Rees' comments:**

The TD's weighting did not include any element of East passing 2♦. I don't believe it's automatic for East to double a natural 2♦, so the Referee's adjustment looks better.

There's a common misconception that when giving a weighted score, the table result can't be included in the weightings. But that only applies to UI rulings, not to MI rulings.

### **Jeffrey Allerton's comments:**

The Referee seems to have researched this well.

### **Heather Dhondy's comments:**

I agree that it is far from clear that East would double. Some sort of split score is definitely applicable.

### **Richard Hills' comments:**

Both the Director and The Referee used sound judgement to reach their differing rulings. However, the Referee's slightly different ruling may seems to have been so very minimally different that it was contrary to the restrictions of White Book clause 93.4.4(a):

*A TD rules that there was misinformation and decides to adjust the score to 80% of 4♠ making, 20% of 4♠ minus one. An Appeals Committee...should not just make minor adjustments to the weighting, such as adjusting the score to 70% of 4♠ making, 30% of 4♠ minus one.*

### **Frances Hinden's comments:**

A double of a natural 2♦ overall on the East cards is marginal, and it's not totally clear the E/W will get to slam after that start, so I think the AC have been generous to E/W but the ruling is reasonable.

### **Paul Lamford's comments:**

Good effort by the referee who polled strong Manchester players no doubt. Agree with decision.

## APPEAL No: 10.077

**Tournament Director:** Mike Amos

**Appeals Committee:** Heather Dhondy (Chairman), Simon Cope and Jonathan Mestel

<p>♠ KQ108 ♥ KQJ985 ♦ A6 ♣ 3</p> <p>♠ 654 ♥ A ♦ KQJ87 ♣ AQ92</p> <p>♠ J9 ♥ 732 ♦ 1052 ♣ KJ1084</p> <p>♠ A732 ♥ 1064 ♦ 943 ♣ 765</p>	Board 3 : Dealer South : EW vulnerable : IMPs to VPs (with screens)			
	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
			Pass	
1♦	Dbl	2♣ (1)	Pass	
3♥ A	Dbl	Pass (2)	Pass	
4♣	All Pass			
(1)			North asked East about 2♣ and was told "non-forcing" he said "limited by failure to double?" and East did not disagree.	
(2)			No alert or explanation by East to North. See TD statement of Facts	

### Basic systems:

North-South: Not described

East-West: Natural 4 card majors 14-16 NT

**Result at table:** 4♣= by East

**Director first called:** By NS at the end of the round

### Director's statement of facts:

North and South complained they had received different explanations of EW calls. After East's Pass (2) West had responded to South's questions by writing:

3♥ = Splinter

Pass = Interest

and explained that Pass was stronger than bidding 4♣. South argued that because he thought EW were in a strong auction he had passed. Given different information he might have/would have bid 3♠. His partner's second double had been encouraging. West accepted that he had given misinformation about 2♣. EW's CC shows N/F constructive.

**Director's ruling:** Weighted Score: 50% 4♠= NS +420 and 50% 4♣= -130

### Details of ruling:

West strongly asserts he has given a correct explanation of "Pass" (2). TD is not convinced that this is the case. The agreement may apply in some cases but East clearly did not think so here. In discussion East never said "I've forgotten" or "I knew Pass was strong". He claims I misunderstood his remark about opponents not bidding game but I do not think his understanding of the agreement was the same as West's. South's questions imply he was thinking of bidding. I do not believe he would always bid 3♠.

I ruled as above weighted score.

I considered misbid and fielding. If West's explanations are to be believed it seems strange not to bid 5♣. He argues that he thought East had 3 cards in spades and 2 in diamonds.

**Appeal lodged by:** N/S

**Director's comments:** I think South has potentially been damaged by:

(A) Definite MI about 2♣ (agreed)

(B) Disputed MI about Pass

## **APPEAL No: 10.077**

**Appeals Committee decision:** TD's ruling upheld and deposit returned.

**Appeals Committee's comments:**

We think that the TD got the ruling about right. We were close to keeping the deposit. We only didn't adjust further in favour of N/S because South might have bid anyway.

**Jeffrey Allerton's comments:**

The TD/AC ruling does not seem unreasonable, but I'm not convinced that South's bidding has been affected by the MI.

**Frances Hinden's comments:**

South has clearly been misinformed. From the TD's comments it seems West thought 4♣ was passable, which is a very odd call opposite a forcing 2♣ response and an 'encouraging' pass so I can see why the TD was somewhat suspicious of the E/W actions i.e. West fielding the misbid. Give East the Ace of spades in addition to his actual cards and (having made a forcing 2♣ bid) he's not even worth an 'encouraging' pass but 5♣ just needs no diamond ruff to make. That is why I think the appeal has merit – there is the possibility of a 'fielded misbid' ruling.

**Paul Lamford's comments:**

Agree with AC. Close to keeping the deposit.

**Tim Rees' comments:**

A good job, but I'm not convinced that South's bidding has been affected by the MI.

**Barry Rigal's comments:**

I can't believe West would pass out 4♣ but would bid 5♣. Too generous to the non-offenders. The basis of the adjustment seems reasonable. West gave MI...but would South bid 3♠? Approximately never.

## APPEAL No: 10.078

**Tournament Director:** Mike Amos

**Appeals Committee:** Jeremy Dhondy (Chairman), Frances Hinden and Andy Bowles

<p>♠ 9 ♥ 762 ♦ 1096543 ♣ AK10</p> <p>♠ 74 ♥ J853 ♦ AKQJ8 ♣ J8</p> <p>♠ QJ8653 ♥ AK9 ♦ - ♣ 9765</p> <p>♠ AK102 ♥ Q104 ♦ 72 ♣ Q432</p>	<p>Board 19 : Dealer South : EW vulnerable : IMPS to VPs (with screens)</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td></td><td></td><td></td><td>1♦ A</td></tr><tr><td>Pass</td><td>1♥ (1)</td><td>2♠</td><td>Pass</td></tr><tr><td>Pass</td><td>Dbl</td><td>All Pass</td><td></td></tr></tbody></table> <p>1♦ Precision – diamonds or clubs or balanced. (1) Alerted South West as rarely a three card suit. Not alerted North East</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>				1♦ A	Pass	1♥ (1)	2♠	Pass	Pass	Dbl	All Pass	
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>														
			1♦ A														
Pass	1♥ (1)	2♠	Pass														
Pass	Dbl	All Pass															

### Basic systems:

North-South: Strong Club

East-West: No information

**Result at table:** 2♠x -2 by East. Lead ♥4

**Director first called:** After match completed.

### Director's statement of facts:

I was approached by East /West who, as they scored up, discovered that they had received different explanations of the 1♥ bid.

North South explained that they reply 1♥ rarely on a three card suit when no other call was appropriate. Their system file confirmed this and that opener did not make allowance for this. East complained that if North had 4 hearts no card played from dummy at trick 1 could make a difference. But if North might hold three cards it did make a difference. East said he might have played differently (he had played small and won with 9♥). TD discovered that NS lead small from Qxx or 10xx.

### Director's ruling:

TD ruled that with correct information East may or may not play J from dummy. 50% +500 and 50% -870

### Details of ruling:

TD ruled there was misinformation. WBF alerting policy Preamble 3 and policy (ii). East was entitled to know 1♥ could be made on three card suit.

**Note by editor:** The WBF alerting policy (rather than the EBU one) applies in this event.

**Appeal lodged by:** E/W

**Basis of appeal:** To review ruling and outcome of League

### Appeals Committee decision:

TD's ruling was amended and the deposit returned. That 1♥ should have been alerted on both sides of the screen as per WBF Alerting Regs. and that declarer was damaged by the failure to do so. The weighted score of 50% of 2♠x+1 to 80% of 2♠x+1 with a consequent reduction in the other option

## **APPEAL No: 10.078**

### **Appeals Committee's comments:**

The AC believed that declarer "knew" that the Q♥ could not be on his left and while North should duck with the Q and not the 10 declarer had been deprived of an opportunity to get this right by the failure to alert a systemically agreed call. We thought he would get it right most of the time.

### **Barry Rigal's comments:**

The AC adjustment seems OK to me. If the person who doesn't make the 1♥ call thinks it is systemic enough to alert it for sure the man who bid with a three-card major should alert. Absolutely wrong of North not to do so – he should be punished fully. (As a matter of fact it is logical to play low from dummy here in my opinion but I still like the AC decision).

### **Tim Rees' comments:**

The AC got this one right. Once East is aware that the hearts might be 3-3, the queen is more likely to be with South.

### **Jeffrey Allerton's comments:**

The AC has got this about right. As South has opened the bidding and there are only 18 points missing, declarer would probably play ♥Q at trick one if he knows he has to guess between the opening leader having Qxx/Q10x and 10xx.

### **Heather Dhondy's comments:**

I agree with the AC. If 1H could be a 3 card suit, playing the jack is the only legitimate chance of making the contract, therefore he would probably play for it.

### **Paul Lamford's comments:**

I agree with the AC. An expert East will play the J♥ almost all the time. Good decision.



# APPEAL No: 10.083

**Tournament Director:** Matthew Johnson

**Appeals Committee:** David Gold (Chairman), Paul Lamford and Alan Kay

♠ J876		Board 22 : Dealer East : EW vulnerable : Swiss Pairs (matchpoints => VPs)			
♥ AK653		<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
♦ 6				3NT (1)	Pass
♣ Q95		4♣ (2)	Pass	4♦ (3)	Pass
♠ AK10932	♠ 5	Pass (4)	Pass (5)		
♥ 4	♥ J98	(1)			Gambling 3NT
♦ 874	♦ AKQ10953	(2)			Pass or correct
♣ 1082	♣ 76	(3)			Correct
	♠ Q4	(4)			Long pause before call (agreed)
	♥ Q1072	(5)			Would have doubled without the
	♦ J2	pause			
	♣ AKJ43				

## Basic systems:

North-South: Benji Acol

East-West: Benji Acol and gambling 3NT

**Result at table:** 4♦ = by East

**Director first called:** After the play

## Director's statement of facts:

I was called by North who believed he was misled by West's long pause. After a pass in tempo, he would double for T/O leading to 5♦ x-1 and that West had nothing to think about. West said he was thinking about bidding 5♦ as East could have short clubs.

## Director's ruling:

After consultation I ruled that West could well have been thinking that 5♦ could make or as a sacrifice against 4♥ to which he only has 3 defensive tricks and as such any inference is drawn at North's own risk. L73D1

**Appeal lodged by:** N/S

**Basis of appeal:** Disagree with reasoning given.

**Director's comments:** When giving the ruling North disagreed with the reasons given by the TD.

**Appeals Committee decision:** TD ruling was upheld and the deposit returned.

## Appeals Committee's comments:

We believe that West had a genuine problem, as to Pass, 4♠ or 5♦. We therefore agree with the director's ruling.

## Barry Rigal's comments:

My first thoughts were 'Absolute b\*\*\*ocks'; I've modified this to a more statesmanlike 'I think the committee bought the Brooklyn Bridge'. West has a clear 5♣ call over 3NT if he thinks it is right to bid now. Law 73F2 covers this nicely. At least an adjustment to 5♦ x-1. I'd like to give E/W worse.

## APPEAL No: 10.083

### Tim Rees' comments:

West had a bridge problem to think about (although he might have anticipated the problem and thought over 3NT). He was thinking about bidding game to make – this isn't the same as thinking about disruptive action then passing, which could create the wrong impression with the opponents.

### Richard Hills' comments:

I agree with the TD's and AC's ruling only if West was a non-expert player. For an expert West the actual problem is one round earlier in the auction, as an expert West might choose a pass-or-correct call of FIVE clubs.

### Jeffrey Allerton's comments:

The director refers to Law 73D1 which also states that "players should be particularly careful when variations may work to the benefit of their side" but he also needs to consider Law 73F: "When a violation of the Proprieties described in this law results in damage to an innocent opponent, if the Director determines that an innocent player has drawn a false inference from a remark, manner, tempo, or the like, of an opponent who has no demonstrable bridge reason for the action, and who could have known, at the time of the action, that the action could work to his benefit, the Director shall award an adjusted score (see Law 12C)."

West knows that the opponents are likely to be cold for 4♥ and that pausing might deter North from protecting, so the "could have known" part is certainly satisfied. Thus the TD has to decide whether West has a demonstrable bridge reason for his pause. Whilst West points out that his partner may hold a singleton club, he has symmetric holdings in the minors and (at the point where his partner had opened 3NT) his side was equally to be cold for 5♣. Logically, any decision on whether to play at the 4- or 5-level ought to have been made on the first round of the auction.

### Frances Hinden's comments:

West doesn't appear to be the greatest of players if he had no problem on the first round of the auction but found one on the second. However, it's still true that he *did* have a problem even if it took him an extra round of bidding to work that out so I think the AC had this right

### Heather Dhondy's comments:

The problem occurs in these situations when a player thinks about making a bid and then doesn't do it. I understand that he had a bridge reason to think, but he can also know at the time that his think could mislead the opponents. The opponents can make 4♥, and this would scarcely come as a surprise to West, so he owes a duty of care – director refers to Law 73D1 which also states that "players should be particularly careful when variations (of tempo) may work to the benefit of their side". I think North had a good case for appeal and I would consider ruling in his favour.

### Paul Lamford's comments:

For an adjustment West would have had to have no bridge reason for the BIT. Clearly he has, as if you were to swap East's majors around, 4♠ would have play.

## APPEAL No: 10.086

**Tournament Director:** Liz Stevenson

**Appeals Committee:** Grahame Weir (Chairman), Val Kennewell and Edward Levy

♠ 642		Board 8 : Dealer West : Love all : Matchpointed Pairs			
♥ A983		<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>
♦ QJ		Pass	1NT	2♥ (1)	2NT (2)
♣ AK108		3♠	Pass	4♥ (3)	All Pass
♠ KJ1083	♠ AQ7	(1)	2♥ explained as spades and another		
♥ 62	♥ KQJ1074	(2)	2NT Lebesohl not alerted		
♦ K102	♦ 74	(3)	No description provided		
♣ 642	♣ 75				
	♠ 95				
	♥ 5				
	♦ A98653				
	♣ QJ93				

### Basic systems:

North-South: Acol 12-14 NT and strong 2's

East-West: Acol 12-14 NT

**Result at table** 4♥ = by East

**Director first called:** at the end of the bidding.

### Director's statement of facts:

I was called at the end of the bidding. N/S claimed that West had given an incorrect explanation of 2♥. 2NT was not alerted. East had bid 3♥ over 3♠ and the opponents had let him change it to 4♥ before the director was called. 4♥ was misdefended. N/S have 4 tricks.

**Director's ruling:** Score adjusted to 4♠-2 by West.

**Details of ruling:** East's 4♥ bid was based on UI of partner's wrong explanation of his 2♥ bid.

**Appeal lodged by:** E/W

**Appeals Committee decision:** TD's ruling upheld and deposit returned.

### Appeals Committee's comments:

Both East and West used UI and presented nothing new to the AC. Chairman was against forfeiting the deposit.

### Barry Rigal's comments:

How many crass/incompetent plays were made here? Unless it was a head to head match both sides deserve a zero. Oh well, let's assume a zero-sum calculation necessary. E/W's infraction beats N/S's stupidity – so let's give E/W 75% of the worst possible result but not all of it.

### Jeffrey Allerton's comments:

The fact that the "E/W presented nothing new to the AC" suggests that the deposit ought to have been retained.

### Robin Barker's comments:

No problem with the TD/AC ruling but I think disagree with "Both East and West used UI". West does not have UI, this is explicit in Law 27B1(a clear retention of) – "Law 16D does not apply".

## **APPEAL No: 10.086**

### **Heather Dhondy's comments:**

The deposit here should definitely have been forfeited unless the players were very inexperienced. This is a gross misuse of UI and they have no basis whatsoever for an appeal.

### **Richard Hills' comments:**

These casebooks would be more useful as instruction manuals if reasons were uniformly given as to why a particular deposit was forfeited or returned.

### **Paul Lamford's comments:**

I think a clear retention of the deposit here, as there was no basis whatsoever for an appeal.

### **Frances Hinden's comments:**

The AC chairman here is not an 'official' EBU referee and is not experienced at appeals which may explain why the deposit was returned as there is no reason whatsoever to do so otherwise.

### **Tim Rees' comments:**

Why was the deposit returned?