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PRESS RELEASE

For immediate release

English Bridge Union to seek permission to appeal previous ruling on the 'sporting status' of bridge

On Thursday 19th January in the Court of Appeal at the High Court the English Bridge Union (EBU) will seek permission to appeal against the result of a previous Judicial Review regarding Sport England's position on the 'sporting status' of bridge. The ruling, made in October 2015 by Justice Dove, found that Sport England had not acted unlawfully in refusing to recognise bridge as a sport - the EBU will contend that this ruling contained errors in law, and that the right to an appeal should be granted.

At the original hearing the EBU contested Sport England's refusal to recognise bridge as a sport, despite bridge meeting Parliament's most recent definition of 'a sport', and it being recognised as a sport by other state-funded organisations such as the Charity Commission. It is also recognised as a sport by such bodies as the International Olympic Committee (IOC) and SportAccord, the union for Olympic and non-Olympic sports.

At the Court of Appeal the EBU will contend that Justice Dove erred in law when making his judgement. Justice Dove ruled in favour of Sport England's position that their mandate was based on the Physical Training and Recreation Act of 1937, despite acknowledging that the Act was repealed in the Education Act of 1944. The EBU contends that Justice Dove should not have taken this position.

The EBU believes that Sport England should therefore not be permitted to use the narrow definition of 'sport' which they choose to adopt (the European Sports Charter of 1992), and should instead use a more modern and inclusive definition which better reflects recent definitions given by Parliament and the position of such bodies as the IOC.

The most recent definition used by Parliament – in the Charities Act, updated by Parliament in 2011 - specifically included Mind Sports¹ in the definition of 'sport', stating that sports are "activities which promote health or wellbeing through physical or mental skill or exertion". The EBU supports this definition as it enables greater sporting opportunities for those who are older or less physically able, and encourages social inclusion and personal development.

At the time of the Judicial Review, Sport England publically stated that their mandate was “to get the nation fitter”. Despite this they choose to recognise as sports activities such as darts or model aircraft flying – undoubtedly worthwhile activities, yet ones which very few people would contend significantly improve the participant’s physical fitness. Sport England defend this position by stating that they do not ‘fund’ all sports which they recognise, yet when discussing their rejection of bridge they have cited that they have only limited financial resources. Their position is therefore inconsistent. At no point have the EBU stated that the application to be recognised by Sport England is motivated by wishing to access their funding. Indeed, at the appeal hearing the EBU will contend that Justice Dove erred when ruling against the EBU at the Judicial Review in that he failed to consider the additional benefits that recognition would deliver. These include, but are not limited to: an increased opportunity to work with local authorities and schools to provide bridge teaching and competitions; an increased opportunity to work with, and access support from, international bodies, such as Erasmus+; being able to enter international bridge events which are only accessed through national sports organisations.

The EBU will also highlight that Justice Dove failed to address the issue that Sport England receives 70% of its funding under the National Lottery Act of 1993, and yet that act contains no definition of what constitutes a sport. The EBU will argue that Sport England’s Royal Charter should not be constrained by the 1937 Act which Sport England references, when most of its funding is provided under the 1993 National Lottery Act, which imposes no limitations on the meaning of ‘sport’, and which was enacted before the 1996 Royal Charter which created the English Sports Council.

The health, wellbeing and educational benefits of playing bridge are widely recognised, with many citing bridge as an excellent activity for young and old people alike². Prominent Members of Parliament, including Liberal Democrat leader Tim Farron, and Michael Fallon, Secretary of State for Defence, have recently expressed a desire for greater support for bridge across all Government departments, recognising the benefits that it offers. Mr Farron has [spoken out in relation to the imposition of VAT on chess and bridge](#), and has called for the Government to "adopt a common sense approach" on the matter. The European Court will hear arguments relating to the imposition of VAT on bridge, in a case referred from the British courts, on 2nd March.

It is anticipated that the Court of Appeal will not make its ruling at the hearing this week, and will take its time in considering the arguments put forward.

1 – there are five internationally recognised Mind Sports: bridge, chess, go, draughts and xiangqi (sometimes called ‘Chinese chess’).

2 - Bridge is seen as an excellent way of improving mental acuity and delaying the onset of dementia, and the social and partnership aspects of bridge are of great benefit to those who may otherwise become isolated – see:

[Participation in cognitively-stimulating activities is associated with brain structure and cognitive function in preclinical Alzheimer’s disease, Schultz et al, 2014;](#)

[The effects of mind games on Alzheimer’s and dementia. Albert Einstein College of Medicine, Bronx, USA, Verghese, J. 2003;](#)

[McDonnell, D., Punch, S. and Small, C. \(2017\) Individual Wellbeing and Bridge: An Empirical Analysis;](#) For information on the education implications of bridge, see the [EBU website](#).

What is Bridge?

Bridge is a card-based mind sport, played in pairs against other pairs (the pairs are sometimes combined into teams of four or eight); The partners sit opposite each other at a table. There is an auction (often called bidding) and then the play, after which the hand is scored. The more tricks a partnership correctly predicts they will make the better their score - but if they do not make as many as they predict their opponents score points instead. In competitions the same hands are played at each table so you can compare your scores with the other partnerships and work out who did best with what they were dealt, thus almost eliminating the 'luck' aspect that exists in card games such as poker.

Playing bridge is one of the most enduring and popular pastimes in the world and for over 100 years it has fascinated people of all types and from all walks of life. It is one of the most popular leisure activities in Britain, with around 300,000 people believed to play on a regular basis. Famous players include Bill Gates, Martina Navratilova and members of the bands Blur and Radiohead.

About the English Bridge Union

The English Bridge Union (EBU) was formed on 23 May 1936 and is a non-profit making membership-funded organisation committed to promoting the game of duplicate bridge. It is also a National Bridge Organisation, affiliated to the European Bridge League and the World Bridge Federation.

The national headquarters of the EBU are in Aylesbury where around 20 professional people support and advise the committees, serve the membership, and help implement policy.

There are around 55,000 members of the EBU, playing in around 620 affiliated bridge clubs in England.

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