



2009

EBU Appeals

ENGLISH BRIDGE UNION

2009

APPEALS

All the appeals from the EBU's major weekend 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 author.

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 by Frances Hinden.

Commentators

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

When you're lying awake with a dismal headache, and your tops are taboo'd by anxiety,
I conceive you may use any bidding you choose to indulge in, without impropriety;
For your brain is on fire – your system conspires of usual slumber to plunder you:
First your double card goes, and uncovers your nose, and your chair slips demurely from under you;
Well, you get some repose in the form of a doze, with hot eye-balls and head ever aching.
But your slumbering teems with such horrible dreams that you'd very much better be waking;
As you please you are criss-crossing a squeeze, and tossing about in a steamer from Harwich –
Which is something between a large dealing machine and a very small second-class carriage –
And bound on those hard thrills you find **Richard Hills** (who started that morning from Devon);
He's a bit undersized, and you don't feel surprised when he tells you he's only eleven.
Well, you're bidding like mad with this singular lad (by the by, the ship's now a four-wheeler),
And you're playing spade games, and he calls you bad names when you tell him that "ties pay the dealer";
But this you can't stand, so you concede your hand, but you find game's as cold as an icicle,
In your shirt and your socks (the black silk with gold clocks), move for the next round on a bicycle:
The slams are a penny, and ever so many are taken by Rothschild and Baring,
And just as a few are allotted to you, you awake with a shudder despairing –

You're a regular wreck, with a jack in your neck, and no wonder you snore, for your score's on the floor, and
you've needles and pins from your soles to your shins, and your flesh is acreep, for your left leg's asleep, and
you've cramp in your toes, and a fly on your nose, and some fluff in your lung, and a feverish tongue, and a
thirst that's intense, and a general sense that you haven't been sleeping in clover;
But the finesse has worked, and the double was shirked, the event has been long – ditto, ditto my song – and
thank goodness they're both of them over!

With apologies to W.S. Gilbert's Iolanthe

Frances Hinden is a tournament player from Surrey, England and married to Jeffrey Allerton. She has won various national events including the Gold Cup 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.

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

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 has recently joined the Laws and Ethics Committees for both England and Wales. He works at the Transport Research Laboratory, analysing (and hopefully solving) motorway congestion.

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

APPEAL No : 09.006

Tournament Director: Helen Barr

Appeals Committee: Ted Reveley (Chairman), Sarah Teshome, Paul Lamford

<p>♠ 73 ♥ AK63 ♦ AK6 ♣ J873</p> <p>♠ KQ10654 ♠ AJ982 ♥ Q85 ♥ 97 ♦ J3 ♦ Q10942 ♣ K5 ♣ A</p> <p>♠ - ♥ J1042 ♦ 875 ♣ Q109642</p>	<p>Board 7 : Dealer South : 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></td><td></td><td>Pass</td></tr><tr><td>1♠</td><td>Dbl</td><td>4♣</td><td>Dbl</td></tr><tr><td>4♠</td><td>Dbl (1)</td><td>Pass</td><td>5♣</td></tr><tr><td>Pass</td><td>Pass</td><td>Dbl (2)</td><td>All Pass</td></tr></tbody></table> <p>1) N asked the meaning of 4♣ before doubling. Told a splinter bid 2) TD called while auction still in progress, before E doubled 5♣</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>				Pass	1♠	Dbl	4♣	Dbl	4♠	Dbl (1)	Pass	5♣	Pass	Pass	Dbl (2)	All Pass
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																		
			Pass																		
1♠	Dbl	4♣	Dbl																		
4♠	Dbl (1)	Pass	5♣																		
Pass	Pass	Dbl (2)	All Pass																		

Basic systems:

North-South play Acol with 3 weak 2s

East-West play Acol with 3 weak 2s

Result at table:

5♣ doubled making by South.

Director first called:

During the auction (see auction notes above)

Director's statement of facts:

North's question may have conveyed UI to South.

Director's ruling:

Score assigned for both sides:

4♠x - 1 by West

Details of ruling:

Extraneous information from partner. L16B1(a)

Appeal lodged by:

North-South

Basis of appeal: *The appeals form has space for Basis of appeal and comments by the TD and both pairs. When appeals are heard in person these are often not filled in. If particular headings are not shown in this booklet it is because they have been left blank.*

Comments by East-West:

After 4♠ N thought for a while and asked the meaning of 4♣. We informed him it was a splinter. We feel now that South has a logical alternative to pass the 4♠x. I am aware that we misdefended 5♣x to let it make.

Appeals Committee decision:

Table score re-instated

Deposit returned

Appeals Committee's comments:

We don't understand how the TD ruled UI. S seems to have [a hand] that justifies the removal of double, given original take out double.

APPEAL No : 09.006

Jeffrey Allerton

I prefer the AC's ruling to the TD's. The TD referred to Law 16B1(a), but that Law permits a score adjustment only if pulling the double to 5♣ could demonstrably be suggested over passing by the question. The TD has failed to explain why she considers this to be the case. I can't conceive of any reason either, so it's just as well that this case went to appeal.

Richard Hills

Yes, the Director was correct in saying, "North's question may have conveyed UI to South". But the Director failed to ask the next question, "Was bidding 5♣ South's only logical alternative?" Yes, South was incompetent, doubling 4♣ and only later bidding 5♣, when a better pressure action would be to bid 5♣ directly. But unintentional incompetence is not prohibited by the Laws of Duplicate Bridge. So in my opinion the Appeals Committee was right and the Director was wrong.

Frances Hinden

I agree with the AC, rather than the TD. Asking a question may give UI, but it does not demonstrably suggest bidding 5♣. (As a matter of bridge interest, 5♣ looks cold to me.)

Paul Lamford

I think that the AC stated that there was no *meaningful* UI, and no LA to 5♣ by South. Indeed passing 4♠X might be an infraction if the question suggested fewer clubs than normal for a take-out double.

Tim Rees

There might be UI here, but from North's hesitation rather than his question. It's normal to make sure you understand the bidding before making a decision, so asking a question about 4♣ doesn't pass UI.

I agree with the AC that South has a hand that justifies a 5♣ bid opposite a takeout double. However, before I ruled that the 5♣ bid was allowed, I'd want South to explain why he didn't bid 5♣ on the previous round. If 5♣ is right over 4♠*, then it is also right over 4♣ (South knows he'll be defending 4♠). So we're being asked to allow a 5♣ bid from someone who didn't bid it at the first opportunity.

In practice, South was probably plucking up courage to bid 5♣, so marked time over 4♣. However, I'd have wanted to hear that from him.

David Stevenson

The comments by the AC seem inconsistent. If North had had a very defensive hand he might have doubled quicker, so there certainly is UI, and if there had been no UI the second sentence seems superfluous.

More interesting is whether a pass of the double is an LA. The second sentence of the AC's comments suggest they thought not, though whether they really looked at the rules is not clear. Would a significant number of South's peers have considered passing? Would some of them actually pass? I think it very close.

Tournament Director: Barrie Partridge

Appeals Committee: Jeff Smith (Chairman), John Holland, Peter Hand

<p>♠ KJ10 ♥ A6 ♦ AKJ10 ♣ K974</p> <p>♠ A94 ♠ 65 ♥ KQJ10873 ♥ 954 ♦ - ♦ 976432 ♣ AQJ ♣ 108</p> <p> ♠ Q8732 ♥ 2 ♦ Q85 ♣ 6532</p>	<p>Board 4 : Dealer West : All vulnerable: teams of 4.</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♣(A1)</td><td>2NT</td><td>Pass</td><td>3♥(2)</td></tr><tr><td>4♥(A3)</td><td>Pass</td><td>5♦</td><td>Pass</td></tr><tr><td>5♥</td><td>Dbl</td><td>All Pass</td><td></td></tr></tbody></table> <p>A1 Either weak with diamonds or 8+ playing tricks in an unspecified suit. N asked before bidding 2NT. 2 Not alerted. A3 Alerted (though calls over 3NT are non alertable). N asked before doubling and E described as some kind of forcing/take out bid.</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>	2♣(A1)	2NT	Pass	3♥(2)	4♥(A3)	Pass	5♦	Pass	5♥	Dbl	All Pass	
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>														
2♣(A1)	2NT	Pass	3♥(2)														
4♥(A3)	Pass	5♦	Pass														
5♥	Dbl	All Pass															

Basic systems:

North-South play Acol

East-West play Acol. The 2♣ bid is as explained above.

Result at table:

5♥x -1 by West. +200 to NS

Director first called:

At end of hand

Director's statement of facts:

North thought 3♥ was natural. South thought it was transfer to spades. The CC does not specify the responses to a natural 2NT overcall. NS had not discussed the sequence but had different ideas as to what they each considered to be the normal default agreement.

Director's ruling:

Score assigned for both sides:

4♥= by West

Details of ruling:

Failure to alert 3♥ was MI. EW were unable to deal with the situation as per the information that they had and finished too high.

Law 21B3, 12

Appeal lodged by:

North-South

Appeals Committee decision:

Table score re-instated

Deposit returned

Appeals Committee's comments:

We feel West's choice to bid 4♥ was dangerous – given that they could have doubled (or even passed). It is unlucky for EW, but we feel that they were contributory to the final result. We don't believe NS had any agreement ref the 3♥ bid – hence the final result of that action was 'rub of the green'.

Jeffrey Allerton

Based on the TD's statement of facts, the correct explanation of 3♥ was "no agreement". The alerting system does not cope well with "no agreement" situations because "alert or not" cannot distinguish between the three possible messages: (i) we have an agreement that this is alertable; (ii) we have an agreement that this is not alertable; and (iii) we have no agreement. The EBU Orange Book, paragraph 5.5 states "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." which suggests that North has not committed an infraction. If there is no infraction then the table result must stand. Note that even if West had known the "no agreement" situation, he might still have had the same problem working out how to convey long heart suit to East.

Richard Hills

EBU Orange Book clause 5B9: "General bridge inferences, like those a new partner could make when there had been no discussion beforehand, are not alertable....." Since North-South had zero pre-existing explicit or implicit mutual **partnership** understanding about the meaning of South's 3♥, North correctly failed to alert and thus there was not any misinformation infraction. No infraction, no adjustment to the table score.

Frances Hinden

The ruling seems hard on EW, but if it is true that NS had no agreement (and no related agreement, such as after overcalling 2NT over a natural weak 2♠ opening) then there has been no misinformation and the AC are correct. Doubling 3♥ would only be useful if EW play that double as penalties; passing is only possible if North thinks 3H is forcing.

Paul Lamford

21B1(b) states: (b) The Director is to presume Mistaken Explanation rather than Mistaken Call in the absence of evidence to the contrary. It seems clear that there was no evidence to the contrary. If 3♥ had been alerted and explained as a transfer to spades, then East would have known 4♥ was natural, and would have passed. It is not even correct to have a split score if one deems the 4♥ to be wild or gambling, as it was clearly "related to the infraction" of the deemed failure to alert 3♥. So the AC was wrong, and the TD was right. But in view of the fact that the eminent AC got it wrong, I would refund the deposit.

Tim Rees

It would be useful to have a "no agreement" alert available. I don't think we do at the moment. 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.

If E/W knew that the 3♥ bid might be hearts or spades, West's 4♥ would clearly be natural and there would be no problem. As it is, the ruling could well depend on what the N/S agreement is in analogous situations. If they really have had no discussion whatsoever, then shouldn't bids be natural? And you might say that if no responses are specified on the CC, then all bids are natural as well. If that's the case, then there's no MI and no score adjustment. But that seems against natural justice.

The AC has given two reasons for restoring the table result. The first (E/W contributed to their bad result) is irrelevant. If there was MI, E/W should only be penalised for a wild or gambling action or for a serious error unconnected to the MI. Neither is the case here. So the AC has effectively ruled that the 3♥ bid wasn't alertable. It would have been useful if they'd stated that explicitly.

David Stevenson

The AC suggested that West could have doubled: if 3♥ was natural this presumably shows shortage in hearts! They also suggested West could have passed, which no doubt shows a weak two in diamonds. Yes, West's choice may have been dangerous, but so are the alternatives the AC suggested, probably more dangerous.

APPEAL No : 09.007

Better would be if the AC had concentrated on the legal position. Were E/W misinformed? Were they damaged? If N/S really had no agreement then it appears that E/W were not misinformed, since “no agreement” is not alterable. Perhaps it should be. If they were not then there is no reason to adjust.

APPEAL No : 09.008

Tournament Director: David Stevenson

Appeals Committee: Heather Dhondy (Chairman), P Davies, R Pike

<p>♠ 94 ♥ KQ764 ♦ - ♣ 1098542</p> <p>♠ K1065 ♠ J7 ♥ 1092 ♥ 85 ♦ K942 ♦ A108765 ♣ K3 ♣ AJ7</p> <p>♠ AQ832 ♥ AJ3 ♦ QJ3 ♣ Q6</p>	<p>Board 9 : Dealer North : EW vulnerable: Butler 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>1NT</td></tr><tr><td>Pass</td><td>2♦</td><td>Dbl</td><td>Rdbl (1)</td></tr><tr><td>Pass</td><td>2♥</td><td>All Pass</td><td></td></tr></tbody></table> <p>(1) Asked: described as showing diamonds</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>		Pass	Pass	1NT	Pass	2♦	Dbl	Rdbl (1)	Pass	2♥	All Pass	
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>														
	Pass	Pass	1NT														
Pass	2♦	Dbl	Rdbl (1)														
Pass	2♥	All Pass															

Basic systems:

North-South play 2/1 GF. 1NT = 15-17

East-West play 2/1 GF.

Result at table:

[not mentioned, assumed to be 2♥+3]

Director first called:

Some time after end of hand

Director's statement of facts:

After the opening lead, South said he redoubled to show a maximum with a fit.

Director's ruling:

Weighted for both sides: 40% of NS +200 (2♥+3 or 3♥+2); 60% of NS -110 (3♦=)

Details of ruling:

The correct explanation is 'no agreement'. With this explanation West might bid 3♦ this round or next. North said she would have bid 3♥ despite expecting diamonds and no fit. South had UI that would make a 3♥ bid illegal. Laws 75, 40B, 21B, 73C, 16B.

South did not realise he was required to correct the wrong explanation before the opening lead. If he had West would have been offered her last pass back. If she passed anyway no adjustment would be given on bidding 3♦ then, but still might have previous round leading to a weighting more in favour of NS.

Appeal lodged by:

North-South

Appeals Committee decision:

Director's ruling upheld

Deposit forfeited

Appeals Committee's comments:

We feel the TD was already generous to NS.

Jeffrey Allerton

The form doesn't mention the basis of appeal, and I can't see one. I agree with the AC's decision to keep the deposit. I also agree that, if anything, the weighting was too generous to N/S: I wouldn't allocate any weighting to 3♥+2 for the reasons explained by the TD.

APPEAL No : 09.008

Richard Hills

Yes, the retention of the deposit is correct. No, if I were a rich man then a monetary deposit is meaningless. All day long I'd frivolously appeal, if I were a wealthy man. Better are matchpoint or imp fines for frivolous appeals.

Frances Hinden

No comment.

Paul Lamford

The failure to offer a correction prior to the opening lead being faced was the worse infraction, as West would surely have bid 3♦ at that point. The AC should correct the weighting to something approaching 100% of 3♦=, even though it was North-South who appealed. And yes, the deposit was correctly forfeited.

Tim Rees

Another "no agreement" problem. If North believes there is no agreement, OB 5B10 suggests he's right not to alert the redouble as he's going to take it as showing diamonds. The difference from case 007 is that the opposition asked anyway, so he had the opportunity to say they had no agreement. So the explanation he gave was MI, as it was explaining a non-existent agreement. After that, South was at fault at the table for not correcting the explanation, and North's claim to the TD that he'd bid 3H later was clearly self-serving.

As the AC points out, the adjustment is already favourable to N/S, so I agree with the ruling and the retention of the deposit.

David Stevenson

Perhaps I was generous!

APPEAL No : 09.009

Tournament Director: Robin Barker

Appeals Committee: Gary Watson (Chairman), Ron Davis, Brian Keable

<p>♠ 862 ♥ K964 ♦ J2 ♣ AK74 ♠ QJ105 ♠ K ♥ Q732 ♥ A10 ♦ 84 ♦ K109765 ♣ 963 ♣ J852 ♠ A9743 ♥ J85 ♦ AQ3 ♣ Q10</p>	<p>Board 36 : Dealer West : All vulnerable: Butler IMPs. West North East South Pass 1♣(A1) 2♦ (A2) Dbl 2♠ Pass Pass Dbl Pass Pass 2NT Dbl Pass Pass 3♣ Pass 3♦ Pass Pass 3NT All Pass</p> <p>1) 1♣ was short sometimes as short as one. 2) Explained as both majors, intended as intermediate</p>
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Basic systems:

North-South play not recorded

East-West play 2♦ multi 3 to 8, 2M good weak 2 9-12.

Result at table:

3NT-3 by South, -300. Lead ♦ 8

Director first called:

After East's pass of 3♦.

Director's statement of facts:

Recalled at end of hand. NS questioned 2NT. East said he didn't want to play 2♠x suggesting clubs as a possible alternative. EW play opening 2♦/2M as bad/good weak 2M. I polled two other players from the same event (Grand Masters Pairs) and they passed 2♠x.

Director's ruling:

Score assigned for both sides:

2♠x - 3 by West, +800.

Details of ruling:

Poll indicated pass was a LA. Pass was suggested by the misexplanation of 2♦. Difficult to hold EW to four tricks in 2♠x.

Appeal lodged by:

North-South

Basis of appeal:

Pass not a LA.

Appeals Committee decision:

Table score re-instated

Deposit returned

Appeals Committee's comments:

We believe that to pass 2♠x on the East hand invites a large penalty as:

a) partner is unlikely to have long spades (no weak opener)

b) opponents have indicated a desire to defend the contract.

2NT seems a reasonable removal in that 3♦x or 3♣x is unlikely to be a worse score.

APPEAL No : 09.009

NS had the opportunity to double 3♦ for a substantial penalty but chose to bid 3NT. We rule the table result be reinstated.

Jeffrey Allerton

Oh dear, the AC has gone seriously wrong here. It is not the AC's job to start the ruling from scratch; an appeal is supposed to be a review of the TD's ruling. Here, the TD has done a good job. He has polled two peers of East and as both passed, he has collated enough evidence to confirm that pass was a logical alternative (if neither had passed, he would have had to ask more people). It appears that none of three AC members would seriously consider passing themselves but (i) that is not statistically significant evidence to conclude that pass is not a logical alternative and (ii) if they also take into account those polled by the TD (now 2 out of a total of 5 seriously consider passing) then they should conclude that pass is a logical alternative. Whilst the AC is correct to point out that West has not opened a weak 2, this does not mean that he can't hold 6 or 7 spades. Many players have suit quality constraints for 2♠/3♠ openers and many consider two suiters (e.g. 6-5 in the majors) unsuitable for a weak two. My only quibble with the TD's ruling is with his failure to impose a procedural penalty on the Grand Master sitting East.

Richard Hills

The Appeals Committee's judgement was, in my opinion, distorted by seeing all four hands. The Director correctly polled two peers of East showing those peers only East's hand and restricting those peers to only authorised information, and both peers without unauthorised assistance were willing to stop in 2♠x.

Given that passing 2♠x was a logical alternative the Appeals Committee's ruling was also, in my opinion, illegal. A factor in their ruling was that North-South erred after the East-West infractions by failing to double 3D and instead electing to call 3NT. But according to Law 12C1(b) the non-offending side should only have their rectification reduced for "a serious error (unrelated to the infraction)". While it is arguable whether or not bidding 3NT is related to the two East-West infractions of misinformation and use-of-unauthorised-information, it is inarguable that the North-South error was definitely not "serious". The guideline on "serious error" given by the WBF Laws Committee (quoted in the EBU White Book, clause 12.17) is: "The standard for judging a 'serious error' must be extremely high and the calibre of the player is also relevant."

To put a cherry on top of the illegal Appeal Committee ruling, even if – for the sake of argument – North-South were deemed to have committed a serious error, Law 12C1(b) requires a split score of North-South getting the table score of 3NT -300 BUT East-West getting an adjusted score of 2♠x -800. The new 2007 Lawbook (unlike the old 1997 Lawbook) no longer permits an offending side to benefit from their infraction merely because of a subsequent error by the non-offending side.

Frances Hinden

A dreadful AC ruling, combined with a well-conducted TD ruling. The TD demonstrated that pass was a logical alternative; the AC had no reason to overrule him. My only quibble is that I would have included a small percentage of 2♠x-4.

Paul Lamford

This depends on whether there are any hands with six spades that would not open the bidding. I would certainly not open with QJ109xx KJxx none xxx, yet would routinely bid 2♠ over 2♦x. So, I think the AC is wrong, and the poll is right. When you have UI you have to carefully avoid taking any advantage 2NT fails in that duty and is closer to a PP than being allowed. And I do not think failing to double 3♦x was wild or gambling, nor a serious error.

Tim Rees

2NT needs to be more than a reasonable action for it to be allowed. If pass would be made by some players, then it is an LA and the 2NT bid (demonstrably suggested by the explanation) should be disallowed. In the TD's poll, the first two players he asked passed. Even if several others removed to 2NT, e.g. 2 out of 6 players would pass, and even adding the three members of the AC, 2/9 players passing is still plenty for pass to be an LA. Why did the AC feel that they could ignore the TD's poll and substitute their own judgement?

APPEAL No : 09.009

N/S's actions over 3♦ are only relevant if they are wild or gambling – 3NT certainly isn't either of those. So the TD got this one right, and the AC made a bad decision to overturn his ruling.

David Stevenson

A very strange decision by the AC. This argument about long spades, often trotted out, never impresses me: I have seen too many passes with six card [or even longer] suits because of a four card major, a void, too much defence or any other reason. As for assuming that 2♠x must be wrong because the opponents have doubled, that seems strange: all opponents make mistakes. If West had described the East hand as long diamonds I bet West would have passed 2♠x!

APPEAL No : 09.011

Tournament Director: Mike Amos

Appeals Committee: Frances Hinden (by phone), Jeffrey Allerton (consulted)

<p>♠ 874 ♥ 8632 ♦ 9764 ♣ A4</p> <p>♠ K63 ♠ QJ1092 ♥ AQ5 ♥ K1094 ♦ Q8532 ♦ KJ ♣ 72 ♣ 95</p> <p>♠ A5 ♥ J7 ♦ A10 ♣ KQJ10863</p>	<p>Board 10 : Dealer East : 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>Pass</td><td>1♣(A)</td></tr><tr><td>Pass</td><td>1♥</td><td>1♠</td><td>3♣(1)</td></tr><tr><td>Pass</td><td>3♠</td><td>Pass</td><td>3NT</td></tr><tr><td colspan="4">All Pass</td></tr><tr><td colspan="4">1 agreed very slow.</td></tr></tbody></table>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>			Pass	1♣(A)	Pass	1♥	1♠	3♣(1)	Pass	3♠	Pass	3NT	All Pass				1 agreed very slow.			
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																						
		Pass	1♣(A)																						
Pass	1♥	1♠	3♣(1)																						
Pass	3♠	Pass	3NT																						
All Pass																									
1 agreed very slow.																									

Basic systems:

North-South play 5CM, 12-14 NT, 1♣ 2+, nat or 15-17 Bal. 1♦ = 4+ nat. 2♦ opening = 18-19 bal no 5CM.
East-West play 5CM, strong NT

Result at table:

3NT = by South, +600

Director first called:

Director's statement of facts:

3♣ agreed very slow (W said 20-30 seconds, South said probably longer). NS not a regular partnership and are playing the methods of North and her regular partner. The meaning of South's possible rebids is different with and without intervention from East. Without intervention 1NT = 15-17 (semi-)balanced, 3♣ is 13-15 good clubs and 2NT is forcing being a strong club single suiter (any shape) as 18+ balanced hands are opened at the 2-level (responder can bid 3♣ NF others GF). With the 1♠ overcall x is for t/o and tends to show a strong NT without a stop; it does not promise 3 hearts; 1NT/2NT a semi-balanced hand with good clubs (2NT eg 17-19 3136 shape). 3♣ is natural and strong and 'likely' to be a 7-card suit according to system file, North says; a cue bid is a general game force.

EW suggested that the slowness of the 3♣ bid helped North to bid on, and question North's 3♠ bid. North stated that South might have seven clubs and two outside aces. South stated after the hand that from North's perspective 3NT was as likely to make as 3♣.

Director's ruling:

Score assigned for both sides: 3♣= by South, +110

Details of ruling:

The hesitation before bidding 3♣ suggests that South has extra values, as players would rarely think for a long time when deciding whether to rebid 2♣ or 3♣. Pass is a LA on the North cards over 3♣ and bidding on is demonstrably suggested by the slow 3♣ bid.

Appeal lodged by:

North-South

Basis of appeal:

The slow 3♣ does not suggest extra values.

Director's comments:

APPEAL No : 09.011

NS and EW comments filled in by the AC chairman and her memory of what was said during the hearing, which was held over the phone all four players attending.

Comments by North-South:

North's 3♠ was based on system as South was almost certain to have 7 clubs (no 1NT or 2NT rebid) plus some extra high cards, the clubs would be running and it required very little to make 3NT outside 7 clubs and a spade stop. NS stated that pass is not a LA for North over the 3♣ bid.

Comments by East-West:

Given the NS system when South has a decent hand with long clubs, 3♣ is about the weakest action he could have been thinking about and hence the slowness of the 3♣ bid suggests that he has a better hand and was thinking about bidding more.

3♠ is a very surprising bid from North, most players would pass in this auction.

Appeals Committee decision:

Table score re-instated

Deposit returned

Appeals Committee's comments:

We gave the auction, the North hand and South's name to several good players who did not know the full deal. None could infer what the hesitation suggested. The opinions offered were 'he can't remember the system', 'nothing he always takes ages to bid', 'he has an unusual hand of some form', 'he's probably got 3-card support'. No-one thought that it particularly showed extra values. Our overall conclusion was that while a BIT may be hand evaluation, a hesitation of that length of time is not just about how strong is my hand. There is a class of player for whom a slow jump rebid shows a single suited game force that can't think of any other way to show it but we don't think this South is in that class. The slow bid either suggests that he is trying to remember the system or that he couldn't decide whether to bid clubs or NT, or that he has an unusual hand of some other form. We were debating what an unusual hand might be and the one we thought was likely to give opener the biggest problem was a 3-6 or 3-7 in the rounded suits when he might be deciding whether to cue or not. However, if that is opener's hand then the winning action is likely to be to pass 3♣. Alternatively, if he was trying to decide whether to bid 1NT or 2NT, then perhaps he has rather softer values in which case, again, the winning action is likely to be to pass. We decided it demonstrably couldn't suggest anything.

EW are effectively asking for a 'rule of coincidence' ruling: South broke tempo and North did something that most people would not have done and got a good result. As the AC we do not think the two are connected.

Jeffrey Allerton

North's 3♠ bid would not be everybody's choice and the bid certainly worked out very well on this layout. In UI situations the TD/AC has to be distinguish between actions the likely success of which have been improved by the UI and actions the success of which are independent of the UI. In this case, the AC could not see why the hesitation increased the likely success of bidding on, so concluded that the 3♠ bid just got lucky, but was not an infraction.

Richard Hills

In this particular situation (Pass) – 1♣ – (Pass) – 1H – (1S) – a slooow 2♣ would demonstrably suggest extra values, since with normal values there are unlikely to be many other minimum calls to think about. But a slooow jump rebid to 3♣? Here the hesitation almost equally suggests an overbid or an underbid or a misbid.

Frances Hinden

No comment, as I refereed this appeal.

Paul Lamford

A well-argued case by the phone committee. Nothing is demonstrably suggested, and 3NT was a bit of a lucky landing, but that is no reason to adjust.

APPEAL No : 09.011

Tim Rees

The two issues here are whether pass is an LA and whether bidding has been suggested by the slow 3♣. The TD ruled that both were true, and N/S appear to have challenged both parts.

Pass has to be an LA here, if only because some players might pass without thinking over a quick 3♣ bid. The main issue is whether the slow 3♣ demonstrably suggested that bidding on would be more successful than passing. The AC put a lot of thought into this and decided it didn't. I'm not convinced myself, but it's difficult to say what a hesitation might mean playing complex methods. I wouldn't want to go down the line of saying that such hesitations are expected (trying to remember the system?), so never transmit useful information. However, I can live with the AC's ruling.

David Stevenson

An interesting decision, quite possibly correct. The AC seem to have considered everything carefully.

APPEAL No.: 09.012

Tournament Director: Mike Amos

Appeals Committee: Frances Hinden (telephone referee), Jeffrey Allerton, Graham Osborne (consultants)

<p>♠ K3 ♥ 1043 ♦ Q1095 ♣ KQ103 ♠ 984 ♠ 107 ♥ AJ87 ♥ K962 ♦ K863 ♦ A742 ♣ 95 ♣ J74 ♠ AQJ652 ♥ Q5 ♦ J ♣ A862</p>	<p>Board 24 : Dealer West : Love all : Ximps to VPs. <i>West</i> <i>North</i> <i>East</i> <i>South</i> Pass Pass Pass 1 ♠ Pass 2 ♣ Pass 2 ♠(1) Pass 2NT Pass 3 ♣ Pass 3 ♠ Pass 4 ♠ All Pass 1) Agreed slow</p>
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Basic systems:

North-South play
East-West play

Result at table:

4♠= by South, +420

Director first called:

After dummy exposed – South agreed a long pause before bidding 2♠

Director's statement of facts:

NS do not play Drury; 2♣ was natural. The 2♠ rebid was agreed slow. Recalled at the end of the hand. I asked N why he had bid on over 2♠. He said he had a 10-count with two 10s (he had three) and was well worth 2NT. He said the partnership would always be in game with a combined 24 count playing teams.

Director's ruling:

Table result stands

The TD does not consider pass of 2♠ to be a LA in a Ximp tournament. Law 16A.:

Appeal lodged by:

East-West

Director's comments:

Some players in the North seat might consider pass, but the TD's opinion after consultation is that very few or none would pass so therefore pass is not a LA.

Comments by North-South:

Pass is not a LA

Comments by East-West:

The slow 2♠ suggests S has extra values. Pass is a LA.

Appeals Committee decision:

Director's ruling upheld
Deposit returned

APPEAL No.: 09.012

Appeals Committee's comments:

We do not consider that a slow 2♠ bid by South shows extra values and therefore North is not constrained by UI. South might have been considering passing 2♣ or rebidding 2 of a red suit with a minimum 6-4 or raising clubs with 3-card support.

Jeffrey Allerton

If the 1♠ opener had been in first or second seat, the ruling might well have been different: then the slow 2♠ bidder could not have been thinking of passing and the inference from a lack of 4th seat constructive weak two is no longer available.

Richard Hills

I disagree with the Appeals Committee's reasoning. While a slooow 2♠ rebid may have a variety of meanings, most of the time the sloowness is due to extra values, hence South is demonstrably suggesting extra values to North, so North must call Pass if that is a logical alternative.

I agree with the Director's reasoning. Pass by North of South's 2♠ rebid is not a logical alternative at Ximps (assuming that North-South are sufficiently expert to play methods which eschew ultra-light 1♠ opening bids in fourth seat). Hence the Director ruled correctly for the right reason, and the Appeals Committee ruled correctly for the wrong reason.

Frances Hinden

No comment, as I refereed this appeal.

Paul Lamford

Again I agree with the AC that nothing is demonstrably suggested, so no adjustment.

Tim Rees

The TD has ruled that pass was not an LA, so has not adjusted the score. The AC hasn't commented on this, but has ruled that any UI didn't suggest that bidding on would be more successful than passing, so has not adjusted the score for that reason.

So is pass an LA? I think it's close – the good intermediates mean that most players would bid 2NT. A few more details on the TD's consultation would have been useful. I'm willing to go along with his decision that pass is not an LA, in which case the table result stands.

Although that makes any UI irrelevant, I don't agree with the AC comments. A slow simple rebid suggests an unusual hand, either with extra values or with extra shape. A minimum 6-4 hand is a possibility, but game might be on opposite that. I don't think South would stop to consider whether to pass 2 or to raise on 3-card support. In my experience, players who are going to do either of those do so immediately.

In case 011, the hesitation preceded a jump bid, opening up more possibilities for what the player was thinking about (e.g. upgrading/downgrading). A hesitation followed by a simple rebid is almost always extra playing strength.

David Stevenson

An interesting view. Certainly some players will think when borderline between 2♠ and 3♠, but there can be other considerations, for example whether to pass 2♣.

APPEAL No.: 09.013

Tournament Director: Sarah Amos

Appeals Committee: Frances Hinden (telephone referee), Jeffrey Allerton, Graham Osborne (consultants)

<p>♠ Q53 ♥ AQ82 ♦ Q63 ♣ 962</p> <p>♠ 1097642 ♠ 8 ♥ - ♥ K94 ♦ A54 ♦ J1072 ♣ A1074 ♣ KQJ53</p> <p>♠ AKJ ♥ J107653 ♦ K98 ♣ 8</p>	<p>Board 6 : Dealer East : EW vulnerable : Ximps to 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>Pass</td><td>1♥</td></tr><tr><td>1♠</td><td>2NT(1)</td><td>Pass</td><td>4♥</td></tr><tr><td colspan="4">All Pass</td></tr></tbody></table> <p>1) Not alerted. N asked the meaning before the opening lead and was told natural.</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>			Pass	1♥	1♠	2NT(1)	Pass	4♥	All Pass			
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>														
		Pass	1♥														
1♠	2NT(1)	Pass	4♥														
All Pass																	

Basic systems:

North-South play 4 card majors

East-West play

Result at table:

4♥= by South, +420. Lead ♦ A

Director first called:

At end of round

Director's statement of facts:

NS are not a regular partnership. EW suggest that N systemically intended 2NT to show a good heart raise and should have said as much before the opening lead was faced. Without anticipating good spades in dummy, West might have led a spade to trick 1. W suggests that S also may have suspected that N had a good heart raise given his major suit holdings. She did not switch to a spade at trick two, believing S to have better hearts for the 4♥ bid. In addition, E suggests that he might have doubled 2NT for t/o or bid 3♣ had the 2NT been explained differently.

N and S both asserted that 2NT was natural by agreement. I asked N why he chose to bid 2NT. He said he preferred to show a balanced hand with 11 or so points and the ♠Q to raising partner's possible 4-card heart suit. This auction is not covered on the CC. E said that if he had been told that 2NT showed hearts he would have doubled and EW would have found their club fit.

Director's ruling:

Table result stands

Details of ruling:

A reasonably well filled CC for NS had no suggestion that 2NT was anything other than natural. Although N's actions seemed odd, both N and S expressed strongly the opinion that 2NT was natural. There is no evidence to contradict this and the TD did not believe that even a 'non-agreement' alert would result in E taking different action as many pairs do play 2NT as natural.

Appeal lodged by:

East-West

Comments by North-South:

2NT systemically natural and we both knew that. There was no reason to alert or say anything before putting dummy down.

APPEAL No.: 09.013

Comments by East-West:

Looking at the NS hands it is obvious that N fully intended 2NT to be a good raise. When partner does not alert this he has no reason to suspect that his understanding is wrong (rather than partner's) and indeed partner's 4♥ bid indicates that it is more likely partner just forgot to alert rather than partner thinks it is natural.

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

The AC cannot see any evidence that NS do not play 2NT as natural. Furthermore, as N is an EBU TD, he is fully aware of his responsibilities under Law 20F5, so we conclude that he did not consider 2NT to be anything other than natural. Knowing the players concerned, we find it entirely plausible both that N would bid a natural 2NT on the given hand and that S would not expect that it might be a good raise.

Given that EW do not know NS as well, we are returning the deposit as we agree that simply looking at the hands it is possible that there has been some MI.

Jeffrey Allerton

No comment.

Richard Hills

East-West implied an "obvious" lie by North, an EBU Director. But North's explanation of a slight mastermind in a 4-card major system with 3=4=3=3 shape is "more obvious" to me. And to me it is "tremendously obvious" that East-West are a paranoid palooka pair.

Frances Hinden

As readers may guess, these three appeals were all from the same event on the same day.

Paul Lamford One is not obliged to bid well, and there is no evidence that there was misinformation in that the North hand roughly conforms with a natural 2NT bid, so I agree with the AC. South will have a normal 4♥ bid over a natural 2NT, so the suggestion that South might have thought it was a heart raise was rubbish.

Tim Rees

The question is whether 2NT was conventional by agreement. A standard convention card might not mention this either way, so there might not be any definitive proof. A more fully completed card might provide some negative evidence that 2NT was natural. The AC obviously knew the players and concluded that the likelihood was that 2NT was natural. There's certainly nothing in South's bidding to suggest she thought it was conventional.

One aside: I don't see it's relevant that North was an EBU TD. Many players know they're supposed to correct an explanation when they're dummy – is a TD supposed to have better ethics than other knowledgeable players?

David Stevenson

With no evidence that N/S play 2NT as a raise, apart from the hand which might have been bid either way, the ruling seems routine. It is not entirely clear that E/W have much merit in their appeal.

APPEAL No : 09.025

Tournament Director: Roland Bolton

Appeals Committee:

Tim Rees (Chairman), Alan Kay, Artur Malinowski

<p>♠ KQ3 ♥ K ♦ AK7543 ♣ A102</p> <p>♠ AJ42 ♠ 8765 ♥ A743 ♥ Q85 ♦ 2 ♦ Q1096 ♣ KJ83 ♣ 76</p> <p>♠ 109 ♥ J10962 ♦ J8 ♣ Q954</p>	<p>Board 16 : Dealer West : 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>1♣(1)</td><td>Dbl</td><td>Rdbl(2)</td><td>Pass</td></tr><tr><td>1♥(3)</td><td>Dbl</td><td>Pass</td><td>4♥</td></tr><tr><td colspan="4">All Pass</td></tr></tbody></table> <p>1) Explained as either weak NT, clubs or g/forcing hand 2) Shows 4+ diamonds 3) Denies 3 diamonds but still could be any of 1)</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>	1♣(1)	Dbl	Rdbl(2)	Pass	1♥(3)	Dbl	Pass	4♥	All Pass			
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>														
1♣(1)	Dbl	Rdbl(2)	Pass														
1♥(3)	Dbl	Pass	4♥														
All Pass																	

Basic systems:

North-South play 5-card majors

East-West play Polish Club

Result at table:

4♥-3 by South, -150

Director first called:

At end of auction

Director's statement of facts:

Called by South, then NS reserved rights and called me back at the end of the hand.

Director's ruling:

Score assigned for both sides:

2♣-1 by South, -50

Details of ruling:

Ruled MI in that as 1♥ was alerted care should have been taken to state that it showed a heart suit as well as the 3 stated options. i.e. not full disclosure. Laws 40, 47E and 12C1.

Appeal lodged by:

East-West

Appeals Committee decision:

Split score given: NS 4♥-3, -150; EW 2♣-1, +50 to NS

Deposit returned

Appeals Committee's comments:

EW have not given a full explanation of their methods (which are unusual). However, NS could have done a lot more to protect themselves so they keep their table score of -150. Bidding 4♥ without checking the meaning of 1♥ is 'wild or gambling'. EW should not benefit from their incomplete explanation so they are assigned the score of 2♣-1.

APPEAL No : 09.025

Jeffrey Allerton

An interesting case. It seems that N/S had a disagreement over the meaning of the double of 1♥, but I suspect they would have had the same disagreement even if a clearer explanation of the 1♥ bid had been received. Hence there is a case for allowing the table result to stand. The actual AC ruling is reasonable ('wild' seems like a good description of N/S's actions) but this could be a rare instance where a split and weighted ruling is appropriate (with a complete explanation, the same auction might or might not have occurred so E/W receive a weighted score, say 50% of 2♣-1 by S + 50% of 4♥-3 by S; whilst N/S keep their table score following the AC's reasoning).

Richard Hills

The Director was correct, but the Appeals Committee were wild or gambling.

Frances Hinden

Personally I would have restored the table result, but the AC ruling is reasonable. Whatever 1♥ meant, South reasonably assumed that a double of it was for penalties (partner having doubled 1♣ for take-out); North thought it showed a good hand and this misunderstanding was the direct cause of the NS disaster. We conceal the players' names in these reports, but it is relevant to me that NS, although not a regular partnership, were both strong and experienced international players. A much weaker pair, who perhaps had never come across this type of 1♣ opening, would get more sympathy from me.

Paul Lamford There is an error in the AC comments, in that it was NS who were assigned the score of 2♣ – 1 because of the deemed WoG action. North might have been more familiar with the methods than South, and would perhaps have assumed 1♥ showed hearts, as his double was intended as takeout. Certainly 4♥, however, looks WoG – how many tricks did he think the vulnerable West was going to make in 1♥? But there was an infraction, and the split score seems fine.

Tim Rees

South was a world-class player. We'd have had more sympathy as an AC for a less experienced player, although we felt such a player would have made sure they understood the auction before taking such a unilateral action as 4♥.

David Stevenson

Bidding 4♥ without checking certainly seems wild, though not gambling.

The write-up is a bit confusing: the diagram says that 1♥ is "Denies 3 diamonds but still could be any of 1)". However the ruling and decision seem to assume that this is what was said, and not the correct explanation. Assuming this was the case then the decision by the AC looks correct.

APPEAL No : 09.028

Tournament Director: Liz Stevenson

Appeals Committee: Ian Mitchell (Chairman), Roy Dempster, Alastair Goodman

<p>♠ K752 ♥ KQ10 ♦ K753 ♣ 105</p> <p>♠ A108 ♠ J9 ♥ A986 ♥ 432 ♦ 10964 ♦ 2 ♣ 62 ♣ AKQJ843</p> <p>♠ Q643 ♥ J75 ♦ AQJ8 ♣ 97</p>	<p>Board 28 : 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>3♣(1)</td><td>Dbl</td></tr><tr><td>3♠(2)</td><td>Pass</td><td>4♣(3)</td><td>Dbl</td></tr><tr><td colspan="4">All Pass</td></tr></tbody></table> <p>1) Explained as ♣ and ♠. Shows long club suit 2) Meant as preference, taken as forcing 3) Disputed action</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>	Pass	1♦	3♣(1)	Dbl	3♠(2)	Pass	4♣(3)	Dbl	All Pass			
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>														
Pass	1♦	3♣(1)	Dbl														
3♠(2)	Pass	4♣(3)	Dbl														
All Pass																	

Basic systems:

North-South play Precision, 14-16 NT
East-West play

Result at table:

4♣x by East, -510

Director first called:

At end of hand

Director's statement of facts:

N called me at the end of the hand. He claimed E should have supported his partner's suit. S claimed she would not have doubled 4♣ if she knew 3♣ was natural. E claimed that they play a mixture of one and two suited overcalls, which are listed on their CC. In this situation 3♣ shows clubs only. His partner had given an incorrect explanation. He told the opponents this before the opening lead. He said 3♠ was unconditionally forcing even after an initial pass.

Director's ruling:

Score assigned for both sides: 4♣= by East, -130

Details of ruling:

NS were misinformed of the meaning of 3♣. S's double of 4♣ could have been based on MI. E is in receipt of UI but he did not make use of it. Law 73C, 16, 12C1a.

Appeal lodged by:

East-West

Appeals Committee decision:

Table score re-instated

Deposit returned

Appeals Committee's comments:

We accept that this is a matter of MI. E has UI but did not take advantage. S's decision to double is not affected by MI. Table result stands.

Though, with the correct explanation, S might not have doubled, we feel that the decision to double was a poor one; S should not have doubled, even with incorrect explanation. On the given explanation she should expect E

APPEAL No : 09.028

to have a good hand with 6 clubs and 5 spades. The ♠Qxxx is not sufficient reason to double. The damage was not as a direct consequence of the infraction.

Jeffrey Allerton

How strong did East believe 3♣ to be? What was the form of scoring? With the correct explanation, South's ♠Qxxx are under the long spade hand, so surely the correct explanation makes doubling less attractive, not more. Hence I agree with the AC that there should be no misinformation adjustment. What about unauthorised information? Is raising to 4♠ a logical alternative for East? I suspect not, but I'd be interested in the results of a poll of peers of East.

Richard Hills

Law 12C1(b): "If, subsequent to the irregularity, the non-offending side has contributed to its own damage by a serious error (unrelated to the infraction) ... it does not receive relief in the adjustment for such part of the damage as is self-inflicted ..."

"The spade Qxxx is not sufficient reason to double." True, but that makes the serious error of doubling 4♣ a serious error **related to the infraction** (the MI infraction was East's non-existent spade length), so the Appeals Committee erred in applying Law 12C1(b). Thus I support the Director's adjustment of -130 for both sides.

Frances Hinden

For the MI element of the ruling I agree with the AC; a correct explanation should make South less, rather than more likely, to double. South is not permitted to know that there has been a bidding misunderstanding, only what the EW actual agreement is. For the UI element I think a little more research might have been in order; 4♣ was certainly suggested by the UI and while raising to 4S doesn't seem a LA to me, 5♣ is certainly a possibility.

Paul Lamford OK, I agree that there was MI and UI, and South's double of 4♣ was SeWoG, so NS keep their poor score. I presume the jump overcall was intermediate (although we are not told this). I agree that 3♠ would be forcing by a passed hand, presumably fit non-jumpish in nature. Something like KQ10xx Ax xx xxxx would be the most I could expect, when game is good. But an extra heart or diamond, or no ten of spades, and game is very poor, so this is one for a poll. I think that 4S is a logical alternative, bidding 4♣ is suggested by the UI, and it does not carefully avoid taking advantage. I would poll some players of like ability, but my view is that we are in standard -1100 Ghestem territory in 4Sx-5.

Tim Rees

South's double appears to have been trying to take advantage of the situation (i.e. gambling). The double wasn't caused by the MI (what did she think 4♣ was?), so there's no reason to give South redress. Regarding the UI, I'm a bit suspicious of East's claims regarding their system. Saying that 3♠ is forcing, despite partner being a passed hand, sounds self-serving. He hasn't made any attempt to suggest what 3♠ showed.

It would have been helpful for E/W's system to be recorded – can West have six spades? Even if they play weak 2s, West might have 6-4 in the majors (many players pass with this shape). Assuming that the AC investigated this, I'm happy to go along with their conclusion that East did not take advantage of the UI, and that the table result should be reinstated.

David Stevenson

The reasoning given by the AC suggest that South was wrong to double – with which I concur! However, do they really believe that South, if correctly informed, would still have doubled? They do not say so and I doubt it. If that is the case should there not be a split score, an adjustment as per the TD's ruling for E/W, N/S to retain their score under Law 12C1B since the double is wild?

APPEAL No : 09.036

Tournament Director: Nick Woosnam

Appeals Committee: Frances Hinden (telephone referee), Gordon Rainsford (consultant)

<p>♠ J10976 ♥ KQ1063 ♦ 54 ♣ Q</p> <p>♠ AK4 ♠ 3 ♥ A5 ♥ 982 ♦ KQ863 ♦ J10972 ♣ AK2 ♣ 10986</p> <p>♠ Q852 ♥ J74 ♦ A ♣ J7543</p>	<p>Board 16 : Dealer West : EW vulnerable : IMPs to 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>2♣</td><td>3♣ (1)</td><td>Pass</td><td>5♣</td></tr><tr><td>Dbl</td><td>5♥</td><td>Pass</td><td>Pass</td></tr><tr><td>Dbl</td><td>Pass</td><td>Pass</td><td>5♠</td></tr><tr><td>Dbl</td><td>All Pass</td><td></td><td></td></tr></tbody></table> <p>1) Not alerted</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>	2♣	3♣ (1)	Pass	5♣	Dbl	5♥	Pass	Pass	Dbl	Pass	Pass	5♠	Dbl	All Pass		
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																		
2♣	3♣ (1)	Pass	5♣																		
Dbl	5♥	Pass	Pass																		
Dbl	Pass	Pass	5♠																		
Dbl	All Pass																				

Basic systems:

Result at table:

5♠x – 2 by S, -300

Director first called:

Before next session, but within protest time.

Director's statement of facts:

Asked for ruling by East before next session started. Felt that North's bid of 5♥ was not clear cut. NS said 1♣ 2♣ would be majors and North thought they were playing all cue bids the same. North said he was always wanting to play in one of his major suits and felt that once 5♣ was doubled he could do this and would have bid on if it hadn't been doubled anyway.

Director's ruling:

Score assigned for both sides:

5♣x – 5, -1100

Details of ruling:

South's failure to alert gives North UI making the choice of 5♥ more likely to succeed. What is to stop South from having for example ♣AJxxxxx when you have a good card in ♣Q.

Appeal lodged by:

North-South

Director's comments:

I felt 5♥ was not a 100% action. From a poll of 4 unconnected players, 2 passed, 1 bid 5♥ and the other said it was difficult not being at the table and it might be affected by how he thought the match was going.

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

We were a bit surprised that a Crockfords finalist has bid on and the associated comments. We spent most of the time wondering why not -6 in 5♣x but concurred with TD that it didn't make much difference to the outcome given the form of scoring. Close to losing deposit but as TD had found at least one person who would bid on the appeal had some merit.

APPEAL No : 09.036

Jeffrey Allerton

The adjustment is routine. The AC was right to consider retaining the deposit but might have also considered a procedural penalty for North's illegal action.

Richard Hills

No comment

Paul Lamford I agree with the Director and the Appeals Committee. This would be considered a clear-cut ruling under the new 2007 Laws 16B and 73C, which now specifically mention "...an unexpected alert or failure to alert...". I would consider a PP for North in addition to a lost deposit. No doubt two of the persons polled were not that familiar with North's Law 73 obligations. And six off seems fairly easy to achieve.

Frances Hinden

The TD told us that 5 off or 6 off would make no difference to the VPs in the match. I now think that North should also have been given a procedural penalty for his illegal action, but that seemed hard at the time as the Appeal had to be heard with none of the players present.

Tim Rees

How can North even start to justify his 5♥ bid? He's supposed to bid as though there was no UI. If South had alerted 3♣, explained it as both majors, then bid 5♣, would any North even consider removing to 5H? And that's what North is required to do in this auction (Law 73C: "When a player has available to him unauthorized information from his partner, such as from a ... failure to alert, he must carefully avoid taking any advantage from that unauthorized information"). He's not in a screen environment where he can guess whether there has been a misunderstanding – here he KNOWS there's been a misunderstanding, and he can't use that.

I hesitate to use the c word, so let's just say North has Blatantly Taken Advantage (BTA) of the UI. This deserves a procedural penalty – I've noticed that these tend only to be awarded when the score is unchanged (see case 036), but that's not the right approach. Without procedural penalties, North can attempt to improve his score illegally, with no risk to himself. He knows he's getting to a better contract, and if the director's called, his score will only get adjusted to what should have happened anyway (5♣*). If the opponents are too timid/inexperienced to call the TD, North gets a windfall and only loses 300. What's more, if North doesn't appeal the TD's ruling, he still gets his free shot. So it should be the TD who awards a PP – in this case, I'd recommend a big one, say 3 times the standard.

Some players (even experienced ones) believe it's OK to BTA, saying that it's up to the opposition to call the director if they want. We need to educate players that this is unacceptable, and the best way is with stiff penalties, especially for players who should know better (from the write-up, this appears to have happened in the Crockfords final). Keep the money, of course.

David Stevenson

Rather than spend time on whether it should be -5 or -6, why not just give 50% of each? It is surprising that so few adjustments result in weighted scores when the results without the infraction are not clear.

At all levels of the game players use what is affectionately called "unauthorised panic". When partner's explanation makes it clear he has misunderstood their bid, they always make a bid at the lowest level that cannot be misunderstood in defiance of the Laws and often commonsense. Perhaps stronger action should be taken when players do this.

APPEAL No : 09.036

Tournament Director: June Booty

Appeals Committee: Frances Hinden (Chairman), Martin Jones, Eddie Lucioni

<p>♠ J83 ♥ J82 ♦ 9 ♣ AQ9832</p> <p>♠ 9 ♠ AQ65 ♥ Q97 ♥ K64 ♦ KQJ6532 ♦ A74 ♣ K5 ♣ 1074</p> <p>♠ K10742 ♥ A1053 ♦ 108 ♣ J6</p>	<p>Board 6 : Dealer East : EW vulnerable : Match point 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♣(1)</td><td>1♠</td></tr><tr><td>2♣(2)</td><td>2♠</td><td>Pass</td><td>Pass</td></tr><tr><td>3♦</td><td>Pass(3)</td><td>3NT</td><td>All Pass</td></tr></tbody></table> <p>1) Could be as few as 2 clubs 2) Not alerted until later but shows diamonds, invitational or better 3) 2♣ bid alerted and explained at this point</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>			1♣(1)	1♠	2♣(2)	2♠	Pass	Pass	3♦	Pass(3)	3NT	All Pass
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>														
		1♣(1)	1♠														
2♣(2)	2♠	Pass	Pass														
3♦	Pass(3)	3NT	All Pass														

Basic systems:

North-South play

East-West play 5cM, 15-17, short club

Result at table:

3NT + 1 by East, -630. Lead ♠4

Director first called:

After South's 1st pass (on 2nd round) after 3♦ (marked (3))

Director's statement of facts:

I ruled that because of failure to alert South could have his 2nd call back but he continued to pass. If West's 2♣ had been alerted and described correctly North said he would have doubled for penalties or bid 2♦, an UCB showing spade support. I agreed with this. I ruled that if he bid 2♦ the auction would most likely go 1♣, 1♠, 2♣, 2♦, pass, 2♠, 3♦, pass, 3NT, all pass and that South would lead ♠7 and the hand would make 3NT+1. I felt that if North doubled then EW would not reach 3NT, instead playing in 3♦ making 9 tricks. West has UI from his partner's failure to alert his 2♣ bid but I did not feel this affected his choice of call.

Director's ruling:

Weighted ruling: 50% of 3NT + 1 by W; 50% of 3♦ = by W

Details of ruling:

North's first call was affected by the MI (failure to alert) so result changed as above. Laws 12C1a, 21B3.

Appeal lodged by:

North-South

Basis of appeal:

No % of 3NT making should be allowed.

Appeals Committee decision:

Score assigned for both sides (Law 12C1(c))

40% of 3NT +1 by East; 30% of 3NT-1 by East, 30% of 3♦ by East.

Deposit returned

Appeals Committee's comments:

NS have been denied the chance to get a good result on the board by the lack of alert. It is impossible to know what would have happened. We feel this is a fairer split of the possible percentages.

APPEAL No : 09.036

Unfortunately, no way to prove any one split is the correct one. We constructed a wide range of possible auctions and tried to equitably.

Jeffrey Allerton

The AC ruling seems reasonable. 3NT-1 is a distinct possibility on ♣J lead and ♠J switch. Given the AC's uncertainty of what would have happened with the correct explanation, I'd prefer the weightings to be a little more sympathetic to the non-offending side.

Richard Hills

A non-offending player would often choose the careless easy-in-hindsight self-deceptive lie of, "I would always have doubled a correctly explained 2♣". So this non-offending North should be commended for his careful self-damaging honesty.

Frances Hinden

The AC really did spend a long time constructing possible auctions and then discussing possible lines of play.

Paul Lamford I strongly disagree with North-South's contention that there should be 0% of 3NT =. East is usually going to bid 3NT over 3♦, whatever noise North makes, and it requires a club lead and specifically the jack of spades switch to beat it. In addition South has to fly with the ace of hearts on the first round and play a second club for another spade through. I would tend towards a higher percentage of 3NT making, perhaps 75%, even allowing for the need to give the benefit of the doubt to the non-offenders.

Tim Rees

The UI is irrelevant here, so the question is what effect the MI had. I like the TD's ruling, although he might have awarded 60/40 in favour of 3♦ as a sympathetic weighting in favour of the non-offending side. However, with the correct explanation of 2♣, I think 2♦ would be a more likely bid from North than double (he'd prefer to show his support straight away). That would lead to 3NT+1, so 50/50 could be the right weighting.

The basis of the N/S appeal is incorrect. North has said that he might have bid 2♦, in which case the auction would have almost certainly gone as suggested by the TD to 3NT+1. Therefore, some element of 3NT+1 must be included in the ruling. I can live with the AC's ruling, although I'd have preferred them to leave the TD's weighting for 3NT+1 (changing that is tinkering with the weighting). Also, if they are going to include a chance of 3NT-1 by East, I'd have liked to see a possible auction to get there.

David Stevenson

A very strange comment by the AC suggesting they do not believe in weighted scores at all. ACs should not be looking for the "split" that is "the correct one". The whole idea of weighted scores is that they are the norm, not a fall-back for when the AC cannot make up its mind.

APPEAL No : 09.036

Tournament Director: Kathy Williams

Appeals Committee: Cath Jagger (Chairman), Anne Catchpole, John Hetherington

<p>♠ Q92 ♥ K103 ♦ J63 ♣ Q942</p> <p>♠ AJ4 ♠ 83 ♥ Q74 ♥ AJ9652 ♦ 104 ♦ AK7 ♣ J10865 ♣ A7</p> <p>♠ K10765 ♥ 8 ♦ Q9852 ♣ K3</p>	<p>Board 20 : Dealer West : All vulnerable : MPs to 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>Pass</td><td>Pass</td><td>1♥</td><td>2♥(1)</td></tr><tr><td>Pass(2)</td><td>2♠</td><td>4♥</td><td>All Pass</td></tr></tbody></table> <p>1) Spades and another 2) W asked what 2♥ showed and then passed</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>	Pass	Pass	1♥	2♥(1)	Pass(2)	2♠	4♥	All Pass
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>										
Pass	Pass	1♥	2♥(1)										
Pass(2)	2♠	4♥	All Pass										

Basic systems:

North-South play

East-West play Benjaminised Acol

Result at table:

4♥ = by East, -620

Director first called:

At end of hand

Director's statement of facts:

I was called at the end of play by North, who didn't think East had her 4♥ bid. She thought the question had helped find the bid.

Director's ruling:

Table result stands

Details of ruling:

Even though E did not have a 4♥ bid she did have a 3♥ bid and as EW would always get to game, result stands.

Appeal lodged by:

North-South

Basis of appeal:

East didn't have her 4♥ bid

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

Agree with TD that a bid of 3♥ would be raised to game.

Procedural penalty against East for jump to 4♥.

We felt the questions by West did convey some values and that East was inconsistent in originally not viewing her hand as worth 8 playing tricks (Benji opener) but then valuing it as worth game on her own. She said her partner had to have some values, but when asked why the Michaels' bidder couldn't be stronger and partner weaker she agreed this was possible.

APPEAL No : 09.036

Jeffrey Allerton

An excellent decision by the AC. If more procedural penalties were issued for abuses of unauthorised information, maybe players would learn their ethical obligations.

Richard Hills

I disagree with the Appeals Committee inflicting a Procedural Penalty when the Director decided otherwise. The WBF Code of Practice warns, "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." And the evidence gained by the Appeals Committee merely duplicated the evidence collected by the Director, that East did not have her 4♥ bid. An offending side should not be arbitrarily awarded a PP merely because their non-offending opponents arbitrarily elected to appeal.

Frances Hinden

I agree with the AC. I think in general we should be more consistent in giving PPs for breaching Law 73C. Deciding that there is no LA to a call, and then being over-ruled by an AC is one thing but Blatantly Taking Advantage is another.

Paul Lamford I agree with the AC, and would only return the deposit because the TD mistakenly failed to give East a PP in the original ruling. It is possible that the fact that East would have bid 3H was not pointed out to North-South, as the basis of their appeal was that East did not have a 4♥ bid.

Tim Rees

Another blatant use of UI, although not as bad as case 033. East's 4♥ had some risk (it might not have made). However, the PP was fully justified, although as I mentioned for case 033, I'd prefer to see it being applied by the TD. The offence shouldn't only be penalised on appeal.

I agree that 4♥ would be reached anyway, so a good ruling from the AC.

David Stevenson

In effect the TD's ruling was that the score be adjusted to 4♥, reached by a different route. The basis of appeal makes me wonder whether this was fully explained to N/S.

I agree with the PP: a very clear use of UI.

APPEAL No : 09.047

Tournament Director: Sarah Amos

Appeals Committee: Frances Hinden (Chairman), Jeff Smith, Kath Nelson

<p>♠ K7 ♥ K1076 ♦ AK103 ♣ Q62</p> <p>♠ AQ52 ♠ 108643 ♥ A82 ♥ QJ54 ♦ J72 ♦ 98 ♣ J54 ♣ A8</p> <p>♠ J9 ♥ 93 ♦ Q654 ♣ K10973</p>	<p>Board 14 : Dealer East : Love all : MPs to 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>2♦ (1)</td><td>Pass</td></tr><tr><td>2♠</td><td>2NT(2)</td><td>3♠</td><td>4♣</td></tr><tr><td>4♠</td><td>Dbl</td><td>All Pass</td><td></td></tr></tbody></table> <p>1) Both majors, 5-12 points 2) N asked the meaning of 2♦ and then bid 2NT. E passed before S alerted and when told 2N was the minors changed his bid to 3♠. TD not called at this point.</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>			2♦ (1)	Pass	2♠	2NT(2)	3♠	4♣	4♠	Dbl	All Pass	
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>														
		2♦ (1)	Pass														
2♠	2NT(2)	3♠	4♣														
4♠	Dbl	All Pass															

Basic systems:

North-South play

East-West play 5cM, strong NT, 2♦ = 5 to 12 both majors (4+-4+)

Result at table:

4♠x-2 NS+300

Director first called:

At end of hand by East

Director's statement of facts:

East called me and complained that the North hand did not match the explanation given and that they had been damaged by the misexplanation. If he had been told that North's bid showed a strong balanced hand he would not have bid 3♠. I determined that the correct explanation was that NS had NO agreement about defending against such a bid.

Director's ruling:

Weighted ruling given

30% 4♠x-2 by W; 30% of 3♣= by South; 40% of 3♣+1 by S.

Details of ruling:

If EW had been told 'no agreement' then some of the time they would still have competed and the auction would have been as at the table. If E passes South will bid 3♣ and play there either making or up one. Law 21B3.

Appeal lodged by:

East-West

Basis of appeal:

Adjustment not sufficient redress.

Appeals Committee decision:

Score assigned for both sides:

5♣-1 by NS.

Deposit returned

Appeals Committee's comments:

This is both a possible MI and UI ruling. North has UI from partner's alert; if 4♣ was bid opposite a strong

APPEAL No : 09.047

balanced hand then 5♣ could easily be right – opponents seem to have found they have a big spade fit. E.g. void Qx Jxxxx KJ10xxxx. To rule this way we merely need to agree that 5♣ is a LA – not that North would always necessarily bid it.

Jeffrey Allerton

I disagree with the TD's observation "some of the time they would still have competed and the auction would have been as at the table" because as a matter of fact East had already passed over an unaltered 2NT bid. Then E/W would not compete beyond 3♣, so including a percentage of 4♠x-2 cannot be right. The AC was right to raise the question of UI, but is 5♣ a logical alternative?

Richard Hills

Yes, the Appeals Committee highlighted a classic Director's Error. It is all too easy for a Director to have a one-eyed focus on the obvious misinformation infraction while overlooking the less obvious consequential use-of-unauthorised-information infraction.

Frances Hinden

The AC could have looked even further into this one. If East passes over 2NT, South bids 3♣ and now North has to guess what that means – some of the time he might bid 3NT going quite a few off but some of the time he might pass, suspecting a weak hand with long clubs opposite.

Paul Lamford 3♠ was a poor bid, but not bad enough, I suspect, to deny East-West redress. If 2NT had been explained as strong balance, or even no agreement, he would not have chosen it. But as the AC find, the main infraction is the use of UI, and 5♣ is certainly an LA for north, so I agree with the AC decision.

Tim Rees

The AC has picked up that North's double of 4♠ was using UI, and so they changed the ruling to 5♣*-1. However, the projected auction to 5♣ would only occur if East bids 3♠ over 2NT, which he said he wouldn't do with a correct explanation. Even with an explanation of "no agreement", I don't believe he would bid all (or even most) of the time.

I don't think it's right to rule solely on UI, if the associated MI might also have affected what happened. So I think the right ruling would be to replace the element of 4S* in the TD's ruling with 5♣, so 30% of 5♣-1, 30% of 3♣= and 40% of 3♣+1. There could be some changes to these weightings – if 9 or 10 tricks are possible in 3♣, why not in 5♣? Also, the 30% award for 4S (now changed to 5♣) was assigned when that was unfavourable to E/W. Now that it's favourable, sympathetic weighting might lead to that percentage being increased.

David Stevenson

Good decision. When you have different adjustments dependent on different infractions, here there is MI from South's explanation, and also it provides UI to his partner, then if one adjustment is more in favour of the non-offenders than the other it is correct to adjust using that one. The argument is that there is no damage from the other infraction since it would lead to a poorer [adjusted] score. So, since adjusting because of UI gives the non-offenders a plus score, this should be done, and the weighted score from MI considered "no damage".

APPEAL No : 09.047

Tournament Director: Ian Muir

Appeals Committee: Jeremy Dhondy (Chairman), Tom Townsend, Jeff Smith

<p>♠ 1096 ♥ J4 ♦ QJ102 ♣ A832</p> <p>♠ 843 ♠ A2 ♥ K95 ♥ AQ763 ♦ 6 ♦ 9875 ♣ K109754 ♣ QJ</p> <p>♠ KQJ75 ♥ 1082 ♦ AK43 ♣ 6</p>	<p>Board 12 : Dealer West : NS vulnerable : MPs to 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>Pass</td><td>Pass</td><td>1♥</td><td>1♠</td></tr><tr><td>2♥</td><td>2♠</td><td>Pass(1)</td><td>Pass</td></tr><tr><td>3♥</td><td>3♠</td><td>All Pass</td><td></td></tr></tbody></table> <p>1) Slight agreed pause for thought</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>	Pass	Pass	1♥	1♠	2♥	2♠	Pass(1)	Pass	3♥	3♠	All Pass	
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>														
Pass	Pass	1♥	1♠														
2♥	2♠	Pass(1)	Pass														
3♥	3♠	All Pass															

Basic systems:

North-South play
East-West play 5cM

Result at table:

3♠-1 by S, -100

Director first called:

At end of hand

Director's statement of facts:

East agreed she had briefly paused before passing. North and South conceded it was only a short but noticeable hesitation. In my experience the TD is seldom called if there has been no break of tempo.

Director's ruling:

Score assigned for both sides:

2♠= by S.

Details of ruling:

West has extraneous UI from partner. Law 16B1(a)

Appeal lodged by:

East-West

Basis of appeal:

Pass not LA

Appeals Committee decision:

Table score re-instated

Deposit returned

Appeals Committee's comments:

The table result to be reinstated. We believed that there was a hesitation but that to sell out to 2♠ was not normal. Bidding on is automatic at this form of scoring.

Jeffrey Allerton

The stated basis of the TD's ruling: "West has extraneous UI from partner." is only one of the conditions which must be met before the score can be adjusted. If the TD judges that the UI demonstrably suggests bidding on,

APPEAL No : 09.047

he should state this fact. If the TD judges that Pass is a logical alternative then he needs to state how he arrived at this conclusion. Equally, the AC should state why they are discounting the evidence collected by the TD (whatever that evidence was) and over-ruling his conclusion.

Richard Hills

One of my pet peeves is when a Director and/or an Appeals Committee use the word “automatic” in the context of balancing at the three level over 2♠.

Frances Hinden

I agree with what I think the AC intended to say, which is that pass is not a LA on the West cards.

Paul Lamford Agree with the AC. It was not the hesitation that demonstrably suggested that 3H would be more successful, but a view that the six-card club suit and the singleton did do. I would have bid 3♣ not 3♥ on the West hand. We have already told partner that we have three-card heart support, but that still gets 3♥ from partner.

Tim Rees

Is the AC saying that bidding on is automatic at pairs on this sequence, or that this particular hand is worth another bid? I would have thought that once a player has made a limit bid, it would always be a logical alternative to pass on the next round. It could be that this hand (with a decent 6-card side suit) is an exception, and that the vast majority would bid again. 3♣ might be selected rather than 3♥, but the choice between the two hasn't been suggested by the UI. I'd be interested to see a poll of this one.

David Stevenson

A straight judgement decision. In effect the AC is saying that pass is no LA to bidding 3♥ [or 3♣]. That means that if West's peers were consulted, fewer than a significant proportion would even consider pass, or if a significant proportion would consider pass then it is not true that some of them would choose pass.

APPEAL No : 09.048

Tournament Director: Kathy Williams

Appeals Committee: Jeffrey Allerton (Chairman), Mike Bell, Kath Nelson

<p>♠ KQJ9632 ♥ K1084 ♦ 4 ♣ 7</p> <p>♠ - ♠ 8 ♥ AQ62 ♥ J9753 ♦ AK65 ♦ Q1092 ♣ AK984 ♣ J63</p> <p>♠ A10754 ♥ - ♦ J873 ♣ Q1052</p>	<p>Board 14 : Dealer East : Love all : MPs to 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>Pass</td><td>Pass</td></tr><tr><td>1♦</td><td>1♠</td><td>2♦</td><td>4♠</td></tr><tr><td>5♦</td><td>Pass(1)</td><td>Pass</td><td>5♠</td></tr><tr><td>Dbl</td><td>All Pass</td><td></td><td></td></tr><tr><td>1)</td><td colspan="3">Long hesitation agreed.</td></tr></tbody></table>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>			Pass	Pass	1♦	1♠	2♦	4♠	5♦	Pass(1)	Pass	5♠	Dbl	All Pass			1)	Long hesitation agreed.		
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																						
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1♦	1♠	2♦	4♠																						
5♦	Pass(1)	Pass	5♠																						
Dbl	All Pass																								
1)	Long hesitation agreed.																								

Basic systems:

North-South play

East-West play

Result at table:

5♠x= by North, +650

Director first called:

When 5♠ was bid.

Director's statement of facts:

I was called by West who wanted to reserve his rights due to the long hesitation. I was called back after play and West asked me to remove the double. On looking at the hand I felt that there were LAs to the 5♠ bid and ruled back to 5♦

Director's ruling:

Score assigned for both sides:

5♦ = by West.

Details of ruling:

I think the hesitation may have helped South to bid 5♠. Law 73A/D.

Appeal lodged by:

North-South

Basis of appeal:

South felt he would always bid 5♠

Comments by North-South:

I felt that 5♠ was a good sacrifice against 5♦, which seemed extremely likely to be making. On seeing my hand (South), West agreed that South had his bid.

Appeals Committee decision:

Score assigned for both sides (Law 12C1(c)):

60% of 5♦ = by W; 40% of 5♦ -1 by W

Deposit returned

Appeals Committee's comments:

We agree pass is a LA for South and that bidding is demonstrably suggested by the hesitation. However the

APPEAL No : 09.048

play in 5♦ is very awkward. Expect to make about half the time but have applied 'sympathetic weighting' to NS.

Jeffrey Allerton

No comment.

Richard Hills

"West agreed that South had his bid." Not relevant. The Director and the Appeals Committee correctly focussed on whether **another** logical alternative for South was **not** bidding.

Frances Hinden

No comment.

Paul Lamford This time it depends on the calibre of the player sitting West. Firstly I agree that Pass is an LA to 5♦, and now have to decide how many tricks are made in the latter. After the king of spades, declarer will normally ruff and cash two top diamonds, and North will show out. Now declarer needs to lead a low heart towards dummy. North can win and give his partner a heart ruff, but declarer has the entries to pick up the clubs with the normal percentage play in the suit. Other lines fail, and the AC did a good job in allowing this to make 60% of the time – perhaps a bit more than sympathetic weighting, but I have no quarrel with that.

Tim Rees

A good ruling by the AC. There has been a tendency over the last year or so for TDs and ACs to use the output of Deep Finesse provided on the hand records to determine the number of tricks to be taken in a contract. It's good to see an AC taking the time to work out likely lines of play and give a suitably weighted score.

David Stevenson

It is normal – or should be! – that a weighted adjustment is given whenever there is doubt as to whether the final result without the infraction is definitely known. The TD's ruling means that she believed that 5♦ would be made all the time, or very nearly, which seems a very optimistic opinion to me. I think that TDs and ACs are still not giving enough weighted adjustments, probably not realising that this is the norm.

Sympathetic weighting is a term which suggests that when ACs and TDs do give weighted scores, there should be a slight bias in the actual weighting towards the non-offending side. This tends to make it a poorer idea for people to commit infractions in the first place, and allows a small benefit of the doubt in case the TD or AC has slightly misjudged.

APPEAL No : 09.053

Tournament Director: Kathy Williams

Appeals Committee: Malcolm Pryor (Chairman), David Gold & Graham Jepson

<p>♠ A 109 ♥ QJ ♦ KQJ9852 ♣ 7</p> <p>♠ 73 ♠ 852 ♥ K76 ♥ 8542 ♦ 74 ♦ 103 ♣ A109542 ♣ KQJ6</p> <p>♠ KQJ64 ♥ A1093 ♦ A6 ♣ 83</p>	<p>Board 22 : Dealer East : 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>Pass</td><td>1 ♠</td></tr><tr><td>Pass</td><td>2 ♦</td><td>Pass</td><td>2 ♥</td></tr><tr><td>Pass</td><td>3 ♣(1,NA)</td><td>Dbl</td><td>Pass</td></tr><tr><td>Pass</td><td>4 ♣(2)</td><td>Pass</td><td>4 ♦(3)</td></tr><tr><td>Pass</td><td>4 ♠(4)</td><td>Pass</td><td>5 ♦(5)</td></tr><tr><td>Pass</td><td>5 ♠(6)</td><td>Pass</td><td>6 ♠</td></tr></tbody></table> <p>All Pass (1) No Alert –FSF to game (2) No Agreement – but forcing (3) No Agreement – but forcing (4) Not forcing (5) Did not know what it meant – hence hesitation by partner. (6) Agreed Hesitation</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>			Pass	1 ♠	Pass	2 ♦	Pass	2 ♥	Pass	3 ♣(1,NA)	Dbl	Pass	Pass	4 ♣(2)	Pass	4 ♦(3)	Pass	4 ♠(4)	Pass	5 ♦(5)	Pass	5 ♠(6)	Pass	6 ♠
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																										
		Pass	1 ♠																										
Pass	2 ♦	Pass	2 ♥																										
Pass	3 ♣(1,NA)	Dbl	Pass																										
Pass	4 ♣(2)	Pass	4 ♦(3)																										
Pass	4 ♠(4)	Pass	5 ♦(5)																										
Pass	5 ♠(6)	Pass	6 ♠																										

Basic systems:

Not recorded

Result at table:

6♠ making by South, lead not recorded

Director first called:

At end of auction

Director's statement of facts:

West called me to reserve his rights after the hesitation by North. At the end of play he asked me to see if South had his 6♠ bid.

Director's ruling:

Table result stands

Details of ruling:

I felt that South had his 6♠ bid. I didn't feel that the hesitation conveyed a suggestion that 6♠ would be successful.

Appeal lodged by:

East-West

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

Committee looked at whether Pass was a logical alternative for the class of players in question and using the methods of the partnership and did not feel it was. After 3♣ then 4♣ South has sufficient values for slam to be underwritten. We also looked at whether North might have had A♣ and not A♠ and felt the bidding would not have been the same with that holding.

Jeffrey Allerton

The auction is murky. From South's point of view, North might have been considering passing 5♦, so I don't

APPEAL No : 09.053

think that the hesitation suggests bidding on. Hence I agree with allowing the table result to stand.

Richard Hills

Was there truly “no agreement” about North’s 4♣, or was there actually “no explicit agreement”? If North-South had an **implicit** agreement that 4♣ showed first- or second-round control in clubs, then I support the Director and Appeals Committee ruling that there was no logical alternative to South raising 5S to 6S.

Frances Hinden

A straight judgement decision. I wouldn’t particularly object to either ruling on the hand.

Paul Lamford I cannot agree with the AC here. Maybe in their methods South would have enough for slam once North bid 4♣, but this South did not think so, as he clearly would just have bid slam opposite his partner’s sign-off in 4S, as he clearly does not have enough for a grand. Instead he continued with 5♦, not Blackwood note, and his partner might have construed this as a void and signed off slowly. I would disallow the 6♠ bid, in the same way as I would have disallowed a slow sign off after Blackwood from South, with North raising.

Tim Rees

A good ruling by the TD and AC.

David Stevenson

Compare this hand with the last hand: some people might wonder whether a weighted adjustment might be given. But the question here is whether 6♠ is legal, ie whether pass was an LA. They decided not, so the result stands. If they had decided it was they would have disallowed the 6♠ bid so adjusted to 5♠+1. Weighted adjustments are only suitable when there is an infraction, and doubt as to the final denouement without the infraction.

Tournament Director: Liz Stevenson

Appeals Committee: Paul Hackett (Chairman), Nevena Senior & Gunnar Hallberg

<p>♠ A Q 4 ♥ J 9 8 7 ♦ 5 ♣ 10 8 5 4 2</p> <p>♠ 9 6 2 ♠ K 10 7 ♥ K 5 ♥ Q 10 4 3 2 ♦ A K Q 6 3 ♦ 10 9 7 2 ♣ Q 9 6 ♣ 7</p> <p>♠ J 8 5 3 ♥ A 6 ♦ J 8 4 ♣ A K J 3</p>	<p>Board 16 : Dealer West : 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>1NT(1)</td><td>Pass</td><td>2♦(2)</td><td>Pass</td></tr><tr><td>2♥</td><td>Pass</td><td>Pass(H)</td><td>Dbl</td></tr><tr><td>Pass</td><td>3♣</td><td>Pass(H)</td><td>Pass</td></tr><tr><td>3♦</td><td>All Pass</td><td></td><td></td></tr></tbody></table> <p>(1) 12-14 (2) Transfer to 2♥</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>	1NT(1)	Pass	2♦(2)	Pass	2♥	Pass	Pass(H)	Dbl	Pass	3♣	Pass(H)	Pass	3♦	All Pass		
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																		
1NT(1)	Pass	2♦(2)	Pass																		
2♥	Pass	Pass(H)	Dbl																		
Pass	3♣	Pass(H)	Pass																		
3♦	All Pass																				

Basic systems:

North-South play not recorded.

East-West play not recorded.

Result at table:

3♦ making by West, lead not recorded.

Director first called:

At end of hand

Director's statement of facts:

South claimed that West's bid of 3♦ was influenced by hesitation by East. EW denied hesitation.

Director's ruling:

Table result stands.

Details of ruling:

West's 3♦ (bid) was not a bid which was suggested by any hesitation. It just happened to fit well. L73C

Appeal lodged by:

North-South

Appeals Committee decision:

Adjust score to 3♣ just made.

Deposit returned.

Appeals Committee's comments:

The statement at the Appeals Committee when East stated that he thought suggested that there may have been a hesitation and as such we agree that after a hesitation there is an alternative of Pass.

Jeffrey Allerton

Another hand where it would be nice to know the form of scoring. The AC has determined that there was a hesitation, but that is not sufficient reason by itself to adjust the score. The TD considered that "West's 3♦ (bid) was not a bid which was suggested by any hesitation. It just happened to fit well". Unless the AC can explain why they disagree with this statement, there is no legal basis for adjusting the score.

Richard Hills

Director's Error. Yes, 3♦ was coincidentally successful due to a lucky fit. No, the coincidence did not make 3♦ legal. Since 1NT was a limit bid Pass was a logical alternative. As is usual, the hesitation by partner

APPEAL No : 09.055

demonstrably suggested that the limit bidder violate captaincy and bid again.

Frances Hinden

Looking at the auction and the hands, I am not convinced there was any UI to West: EW denied a hesitation, and East's hand opposite a weak NT is consistent with having nothing to think about. Was East simply slow all the time?

Paul Lamford The hesitation demonstrably suggested that East had a few values, and this made 3♦ more likely to be successful. I agree with the AC and would be giving West a PP if he or she was experienced.

Tim Rees

Pass here is clearly a logical alternative (I've got 12-14 balanced and partner hasn't shown any values). The question is whether there is UI, and whether this UI demonstrably suggested that 3♦ would be a more successful action than passing.

There are two hesitations shown on the form, and the TD and AC were satisfied that at least one had been agreed to occur (it would have been helpful to know which). So UI is present. The TD decided that the UI didn't suggest that 3♦ would be a successful bid. The AC doesn't seem to have considered the matter at all, as they only refer to pass being a logical alternative.

The AC has chosen to overturn the TD's ruling, so they should explain why they think the hesitation suggested that 3D would be successful. A useful starting point would have been to discuss what the hesitation(s) might show. If it's extra values (likely for the first hesitation), then I don't believe 3♦ is suggested (there might not be a fit). If it's extra shape (probable for the second hesitation), then 3♦ is suggested.

I think the AC got it right, but there's no evidence they did so for the right reasons.

David Stevenson

The AC's comments seem to completely ignore the Law. They have decided there was UI, ie there was a hesitation. They have decided that pass was an LA to 3♦. But that is not enough to adjust! The TD said that she did not think 3D was suggested by the UI and if this is the case there is no reason to adjust. If they are over-ruling the TD on this decision they should say so, and I wonder whether they missed this point.

APPEAL No : 09.058

Tournament Director: Barrie Partridge

Appeals Committee: Jeremy Dhondy (Chairman), Jeffrey Allerton & Alan Shillitoe

♠ 7 ♥ KQJ1074 ♦ J1074 ♣ A6 ♠ K643 ♠ QJ852 ♥ 852 ♥ 6 ♦ K ♦ AQ3 ♣ 98743 ♣ KQ105 ♠ A109 ♥ A93 ♦ 98652 ♣ J2	Board 3 : Dealer South : EW vulnerable West North East South Pass 1♥ 1♠ 2♦ 2♠ 3♥ 3♠ Pass Pass 4♥ Pass(AH) Pass 4♠ Pass Pass Dbl All Pass
--	--

Basic systems:

North-South play 4 card majors, weak NT

East-West play 5 card majors, weak 2's, 12-14 NT. Jump overcalls weak when Not Vul, not Vul

Result at table:

4♠ doubled making by East, lead not indicated

Director first called:

After East's 4th call

Director's statement of facts:

NS were concerned that West's bid of 4♠ was suggested by the hesitation and felt that West should have passed.

Director's ruling:

Score assigned for both sides:

4♥ -1 by North

Details of ruling:

After consulting with other colleagues I ruled that passing by West was a logical alternative and that the hesitation suggested bidding on.

Appeal lodged by:

East-West

Basis of appeal:

Passing is not a logical alternative.

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

That Pass was a logical alternative to 4♠ and the hesitation had made 4♠ more attractive.

EW are not a regular or frequent partnership so we had trouble accepting that they had an agreement as stated at the Appeal that pass was forcing when they had been prepared to play 3♠. We also dismissed West's arguments that the Dbl of 4♠ was wild/gambling. We considered keeping the deposit but decided we had discussed it for long enough not to do so.

APPEAL No : 09.058

Jeffrey Allerton

Why did West alert a pass in a position where he did not have a firm agreement, especially when virtually all calls are not alertable once the auction is above the level of 3NT? A cynical observer might conclude that West alerted the pass because he intended to bid 4♠ and did not want the TD to adjust the score. In that case a procedural penalty for the inappropriate alert might have been appropriate.

Richard Hills

The criterion for keeping the deposit is **not** “long discussion by the Appeals Committee”. The criterion for keeping the deposit is “appeal without merit”. This is an all-time classic self-serving Secretary Bird appeal without merit. Why reward the Secretary Bird West for lengthening the discussion with a red herring about the allegedly wild / gambling double of 4S by South???

Frances Hinden

This was a keep-the-deposit appeal, and given who was on the AC I am very surprised they did not do so.

Paul Lamford Nothing much to add to the AC. Pass of 4♥ was clearly not forcing – that was just a blatant lie. And double of 4♠ was not SeWoG with two aces and opponents stopping in 3♠ some time ago. I would have kept the deposit.

Tim Rees

Pass is obviously a LA (having been willing to play in 3♠ the previous round) and the 4♠ has clearly been suggested by the hesitation. South’s double isn’t wild or gambling, as he has two Aces opposite an opening bid. So what possible basis was there to appeal? Some made-up story about pass being forcing can be disregarded as self-serving, so I’d have kept the money.

David Stevenson

West has not got a routine 4♠ bid. This sort of hand is a total waste of AC’s time, but if they will not keep the deposit people will keep appealing hopeless cases. Note that South has doubled 4♠ with two aces opposite an opening bid. This is far from wild, and far from gambling.

Tournament Director: David Stevenson

Appeals Committee: Brian Senior (Chairman), Gunnar Hallberg & M Amor

<p>♠ A74 ♥ 106 ♦ KQ32 ♣ 10854</p> <p>♠ 10965 ♠ KQ83 ♥ KQ52 ♥ 987 ♦ 94 ♦ J10875 ♣ A62 ♣ Q</p> <p>♠ J2 ♥ AJ43 ♦ A6 ♣ KJ973</p>	<p>Board 29 : Dealer North : All vulnerable</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><i>West</i></th> <th style="text-align: left;"><i>North</i></th> <th style="text-align: left;"><i>East</i></th> <th style="text-align: left;"><i>South</i></th> </tr> </thead> <tbody> <tr> <td></td> <td>Pass</td> <td>2♦(A1)</td> <td>Dbl</td> </tr> <tr> <td>2♥(A2)</td> <td>2NT(A3)</td> <td>Pass</td> <td>3♣(4)</td> </tr> <tr> <td>Pass</td> <td>3NT</td> <td>All Pass</td> <td></td> </tr> </tbody> </table> <p>(A1) Rough 2♦ - weak ♦ + major, at least 5-4 (A2) Pass or correct (A3) Intended as natural, taken as Lebensohl (4) Not alerted</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>		Pass	2♦(A1)	Dbl	2♥(A2)	2NT(A3)	Pass	3♣(4)	Pass	3NT	All Pass	
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>														
	Pass	2♦(A1)	Dbl														
2♥(A2)	2NT(A3)	Pass	3♣(4)														
Pass	3NT	All Pass															

Basic systems:

North-South play two-way club

East-West play Acol & Rough 2's

Result at table:

3NT making by North lead 3♠

Director first called:

At end of hand

Director's statement of facts:

The alert of 2NT told North that his natural 2NT had been misunderstood. He bid 3NT to deny a major. 3♦ did not occur to him. It is noted that when partner describes 2NT as artificial when it is meant as natural, players always rebid 3NT.

Director's ruling:

Score assigned for both sides: 3♣ making +1 by North South.

Details of ruling:

UI given by alert, 3NT disallowed. L16

Appeal lodged by:

North-South

Appeals Committee decision:

Director's ruling upheld / average plus to E/W

Deposit – no information pages 3 & 4 not in file

Appeals Committee's comments:[missing from file]

Jeffrey Allerton

From North's point of view, South has doubled the 2♦ opening and then bid 3♣ over a natural free 2NT bid in response. What does this show? Most probably, there was no agreement, but it cannot be a hand which would have overcalled 3♣ over 2♦. It would be unwise to double 2♦ on a 2146 minimum, for example, so logically the delayed 3♣ ought to be based on a sufficiently good hand to be forcing opposite the free 2NT bid. Although over 3♣ I prefer 3♦ to 3NT, I don't think 3NT could demonstrably be suggested over 3♦ by the UI; even if North did bid 3♦, the auction would proceed3♦-3♥-3NT-Pass.

The UI suggests to North that South has interpreted 2NT as conventional (either Lebensohl or two suits), but in

APPEAL No : 09.060

that case 3♣ probably has more chance than 3NT of being the right contract. If anything, the UI suggests Pass over bidding on. Therefore, in my view North has complied with his ethical obligations and the table result should have been allowed to stand.

Richard Hills

On a technical issue the Appeals Committee were strange in changing the ruling from the Director's +130 NS / -130 EW to Ave- NS / Ave+ EW. Under the 1997 Lawbook the Appeals Committee's ruling would definitely have been illegal; an emergency clause is now the 2007 Law 12C1(d): "If the possibilities are numerous or not obvious, the Director [or Appeals Committee] may award an artificial adjusted score." Whether the Appeals Committee properly applied Law 12C1(d) is impossible to say, as their comments have been lost.

Frances Hinden

While North's 3NT call does show all the signs of Unauthorised Panic, there is still a good chance they would get to 3NT anyway, and they deserve a reasonable percentage of that score.

Paul Lamford We disallow the 3NT bid by North, but we certainly do not impose Pass, as South has doubled 2♦ and then bid clubs, showing a strong hand with clubs. North would bid 3D, and South, still unsure which major East has would bid 3H, giving North an easy 3NT. The average plus for E/W should only be awarded when the possibilities are too numerous, and that is not the case here. The alternative action is for North to raise to 5♣, but there is no defence to that either. The TD and AC had North passing 3♣. That really is using the UI, and the fact that game makes should not be used to decide what the LAs are. A hopeless effort by all concerned.

Tim Rees

What North is allowed to do here depends on the meaning of 3♣ in his universe (where 2NT was natural). It can't be Stayman (North's denied a major already, and South could have bid 3♦ to ask for more information). So 3♣ must be taken as natural, but with how many values? Does it show extra values or is it an attempt to play there? No-one seems to have considered this. But as North didn't mention this as his reason for bidding, it seems reasonable to say that 3♣ was passable. And with a minimum for 2NT, pass is now an LA for North. The UI from South's explanation suggests that bidding would be more successful than passing, so any bid from North over 3♣ should be disallowed.

So the TD got it right. The AC might have done so as well, but we don't have the paperwork. However, there's a worrying comment about "average plus to E/W". A score has been assigned to both sides, and they should both get the matchpoints for that score. If that means E/W still score below average on the board, that's just tough!

David Stevenson

"Unauthorised panic" rears its ugly head again – see 09.036. A player bids a natural 2NT, his partner bids 3♣ Stayman, and "3♦ does not occur to him"! It is a pity players do not try to follow the UI Laws. Unfortunately the AC decision is lost and I do not remember it so cannot comment further!

APPEAL No : 09.063

Tournament Director: Sarah Amos

Appeals Committee: Jeff Smith (Chairman), Liz McGowan & N Freake

♠ K986 ♥ J6 ♦ AK105 ♣ Q63 ♠ AQ1074 ♠ J2 ♥ A ♥ Q10975 ♦ Q73 ♦ 9862 ♣ KJ97 ♣ 85 ♠ 53 ♥ K8432 ♦ J4 ♣ A1042	Board 20 : Dealer West : All vulnerable West North East South 1♠ Pass Pass 2♥ Pass 2NT All Pass
--	--

Basic systems:

Result at table:

2NT-2 by North, lead J♠

Director first called:

At end of hand

Director's statement of facts:

East led J♠ which held, small ♠ to Q and declarer's K. Declarer exited with another ♠ on which East discarded 5♥. North felt there was a break in tempo. East said he had thought about which card to play – but that he thinks every card. EW play reverse McKenny so a small ♥ indicates ♦. West cashed his ♠ tricks on which declarer threw a ♣ and East threw 2 ♣s. West then led a small ♣.

Director's ruling:

Table result stands

Details of ruling:

When I asked West why he had not led a ♦ he said he knew North had values in ♦ for his bid and that partner had Q♥. Declarer had thrown a ♣ and was marked with the Q so a ♣ was a safe exit. If partner had K♦ he would make it later anyway. I ruled that any break in tempo did not indicate that a different lead would be more successful.

Appeal lodged by:

North-South

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

We believe that although there was a tempo break, West worked out his play based on sound bridge reasoning (North's HCP) and his partner's subsequent discard of two ♣s.

Jeffrey Allerton

I agree with the AC. It is very common for defenders to think about their first discard. Although West has UI suggesting that East was planning his discards, or that East did not know which suit to discard from first, that UI does not demonstrably suggest anything in particular. Note that if East had held ♦K98x, a diamond switch would have given away a trick in the suit.

APPEAL No : 09.063

Richard Hills

The assertion “he had thought about which card to play – but that he thinks every card” belongs to a template of similar excuses, e.g. “I always ask about each alerted call”. In practice these excuses are worthless, as in practice the frequency is “almost every” or “almost always”.

Frances Hinden

I don't see why thinking before the first discard demonstrably suggests anything in particular, so I agree with the AC.

Paul Lamford

Agree with the TD and AC and I would have retained the deposit.

Tim Rees

I'm totally confused. West appears to have given a trick away by leading a small club, and North claims to have been damaged? More to the point, surely it's normal for a player to take some time before making his first discard? A hesitation doesn't mean anything here, especially a relatively short one (North “felt there was a break in tempo”).

North's tried his luck with the TD with a pretty feeble case and the TD has not adjusted the score. Why is this being appealed? I'd keep the money (this is getting a common refrain).

David Stevenson

I do not quite understand this. Are they alleging that East thought some time before his *first* discard? It is perfectly normal for players to do so and really indicates nothing whatever. I do not think this appeal had merit, though it might have been clear that North believed it to do so.

APPEAL No : 09.081

Tournament Director: Martin Lee

Appeals Committee: Jason Hackett (Chairman), Simon Cope & David Arundel

<p>♠ K 10964 ♥ A975 ♦ A 102 ♣ K</p> <p>♠ J ♠ A Q 8 ♥ 103 ♥ K Q 8 4 ♦ K 8 7 6 4 ♦ - ♣ 10 8 7 4 3 ♣ A Q J 9 6 2</p> <p>♠ 7 5 3 2 ♥ J 6 2 ♦ Q J 9 5 3 ♣ 5</p>	<p>Board 25 : Dealer North : 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>1♠</td><td>Dbl</td><td>3♠</td></tr><tr><td>Pass</td><td>Pass</td><td>3NT(1)</td><td>Pass</td></tr><tr><td>4♦</td><td>Pass</td><td>5♣</td><td>All Pass</td></tr></tbody></table> <p>(1) Slow</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>		1♠	Dbl	3♠	Pass	Pass	3NT(1)	Pass	4♦	Pass	5♣	All Pass
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>														
	1♠	Dbl	3♠														
Pass	Pass	3NT(1)	Pass														
4♦	Pass	5♣	All Pass														

Basic systems:

North-South play 2 over 1 Game Force, 5 card majors, Strong NT, 3 weak twos.

East-West play 5 card ♠, weak NT, 3 weak twos.

Result at table:

5♣ +1 making by East, lead 5♣

Director first called:

At end of hand

Director's statement of facts:

Called by NS who questioned the 4♦ bid by West after a 'slow' 3NT by East. The 'slow' tempo of the 3NT was not in dispute. Question to West 'Why did you bid 4♦?' 'With my hand shape of 1-2-5-5, it is not suitable for 3NT.

Director's ruling:

Weighted score assigned for both sides:

3NT by E 60% making & 40% -1

Details of ruling:

The apparent use of UI. Weighted adjusted score. L73C, L16B, L12C1(c) and (f)

Appeal lodged by:

East-West

Basis of appeal:

Do not agree with TD

Appeals Committee decision:

Director's ruling amended

Score assigned for both sides:

3NT making by EW

Deposit returned

Appeals Committee's comments:

We feel that, in accordance with the Director's ruling, UI has been conveyed by the slow 3NT, and that pass is a logical alternative to bidding 4♦, especially as East may be balanced. However, we feel that 9 tricks will always be made as:

- The Q♦ lead is far from clear and,

APPEAL No : 09.081

- Even if the Q♦ is led, it is normal to play North for the A after North has opened and South has made a pre-emptive raise.

Jeffrey Allerton

An interesting case. I agree with the AC that the ♦Q lead against 3NT is far from clear and that on ♦Q lead the contract will make exactly nine tricks. However, on the more likely opening spade lead, declarer will presumably use the entries in clubs to lead twice towards ♥KQ and hence emerge with an overtrick. Depending on the weightings attached to N/S -600 and N/S -630, it might well be concluded that there was no damage from the putative infraction, given that the table result was N/S -620.

But was there an infraction at all? Presumably East's hesitation implied doubt about whether 3NT was the right contract, but does that doubt make it more or less attractive to pull on this particular East hand? Consider two possible hands for East: (a) ♠K10x ♥AQJ ♦AQx ♣AJxx and (b) ♠Ax ♥Axx ♦Ax ♣AKQxxx. Hand (a) looks the more likely candidate for a slow 3NT bid (it could be right to double again or even pass out 3♠). However, with the actual West hand, the winning action is to pass opposite hand (a) but to bid on opposite (b). The reason is that ♦Kxxxx and even ♠J are potentially very useful cards for 3NT. I conclude that with this particular West hand, bidding on is not demonstrably suggested over Pass by the unauthorised information and that therefore the table result should have been allowed to stand.

Richard Hills

I am disappointed that the Director did not award 100% of 3NT= initially, since then the Appeals Committee could have retained the deposit. But with the Appeals Committee marginally improving the score of the appealing side, retention of the deposit would have been novel and courageous.

Frances Hinden

I don't think a slow 3NT bid here demonstrably suggests anything, because I don't think anyone would bid 3NT quickly in this auction. In any case, a percentage of 3NT+1 (or 3NT+2) would seem reasonable which might get you back to the same result as 5♣+1 at imps or be a worse result for NS at matchpoints (we are not told the form of scoring).

Paul Lamford

Again agree with the AC. 3NT would make in practice. Close to keeping the deposit again.

Tim Rees

As the AC says, the slow 3NT makes removing to 4♦ more attractive. Pass is an LA, as East might have a balanced 22-count. So an adjustment to 3NT is in order. The TD's ruling on the number of tricks was too generous to NS, even allowing for sympathetic weighting. On the ♦Q lead, E/W are likely to make 9 tricks. However, on a spade (or even a small diamond) lead, 10 tricks are likely. 11 tricks might even have been made at some tables, with North coming under pressure on the run of the clubs. In assigning a weighting, I'd discount 11 tricks (E/W are the offending side after all), but 75% of 3NT= and 25% of 3NT+1 might have been a better adjustment. I can live with the AC's ruling, though.

David Stevenson

While I am a great believer in weighted scores in this case the AC's logic seems fair. Perhaps 10% or 15% of one down would be reasonable, but generally when one score is 85% likely or more it is normal just to give that one score as an adjustment.

Tournament Director: Martin Lee

Appeals Committee: Heather Dhondy (Chairman), Gunnar Hallberg & Artur Malinowski

<p>♠ K 106 ♥ 8 ♦ AJ109632 ♣ A4 ♠ A432 ♠ QJ985 ♥ AQ ♥ 109 ♦ KQ7 ♦ 4 ♣ Q875 ♣ KJ963 ♠ 7 ♥ KJ765432 ♦ 85 ♣ 102</p>	<p>Board 32 : Dealer West : EW vulnerable</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><i>West</i></th> <th style="text-align: left;"><i>North</i></th> <th style="text-align: left;"><i>East</i></th> <th style="text-align: left;"><i>South</i></th> </tr> </thead> <tbody> <tr> <td>1NT</td> <td>Dbl(A1)</td> <td>2NT(A2)</td> <td>Pass</td> </tr> <tr> <td>3♦</td> <td>Pass</td> <td>3♠(A3)</td> <td>Pass</td> </tr> <tr> <td>3NT</td> <td>All Pass</td> <td></td> <td></td> </tr> </tbody> </table> <p>(A1) Explained as either both majors 5-5 in this position or a single suited hand (minor). (A2) Explained as a transfer to ♦ (A3) See my statement of fact as regards when this bid was asked about but explained as a shortage in ♠, agreeing ♦</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>	1NT	Dbl(A1)	2NT(A2)	Pass	3♦	Pass	3♠(A3)	Pass	3NT	All Pass		
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>														
1NT	Dbl(A1)	2NT(A2)	Pass														
3♦	Pass	3♠(A3)	Pass														
3NT	All Pass																

Basic systems:

North-South play strong NT, 5 card majors, 3 weak twos

East-West play strong NT, 5 card majors, prepared ♣

Result at table:

3NT making by West, lead A♦

Director first called:

After A♦ had been faced as the lead but before dummy went down.

Director's statement of facts:

I was called by South after North had faced the A♦ but before dummy was spread. I was told that before the A♦ had been led, south had asked about the 3♠ bid and told it was a shortage in ♠. (South asked immediately the bid had been made.) North inadvertently assumed that was the end of any questions and explanations about the bidding and faced the A♦ as the opening lead at which point East stated that he did not believe the systemic partnership agreement of his 2NT bid had been correctly explained. East felt/thought they were playing a Lebensohl sequence and this hand could have a variety of shapes not necessarily ♦. After subsequent questions I ascertained that EW have no specific agreement for the 2NT bid in this sequence and thus there was MI to NS. However, because A♦ had been faced it was too late to cancel the final Pass by South and allow the auction to re-open. I directed play to continue and for me to be recalled if necessary. At the end of play I was recalled (3NT= by West). South stated that had he been given the correct (agreement) explanation, he may have bid 4♥ (also, if I allowed the auction to reopen). I asked West what he would do over 4♥? Pass was his reply. North stated he would also Pass. I asked East what he would do. Initially he was unsure but after thought said 'I would bid 4♠ again.

I then consulted with others on the basis of MI. As a result it was felt that 4♥ by South was a logical alternative to Pass, the question was how would West interpret the 4♠ bid by East which was again accepted as there was no alternative. I ruled that if East bid 4♠ (again), this now could only be natural and not a shortage. Further, as East had not made any move over 3NT, it could not be a 'slam try' agreeing ♦. As such West would Pass 4♠ by East.

Because, in MP's, 4♠ by East score better than 3NT= by West, no damage had occurred and thus the original score stands.

I ruled that West had an alternative bid other than pass (of 4♥) and that was to Dbl 4♥. However, there was no real LA to the 4♠ bid (whether West Dbl's 4♥ or not).

Director's ruling:

APPEAL No : 09.082

Table result stands

Details of ruling:

MI has been given to NS as there is no agreement about the 2NT bid, but it was too late to cancel South's final pass (when lead is faced)

Because there is no apparent damage (see statement of facts for rationale), original score stands. L21B3

Appeal lodged by:

North-South

Basis of appeal:

Appellants feel there is UI as well as MI

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

South speculated that the opponents were in the wrong contract (which they were). There was no agreement between East and West therefore we agree with the TD.

Jeffrey Allerton

I agree with the TD/AC decision to allow the table result to stand. However, I'm not sure that the TD is right to consider what would have happened if the auction had been reopened; it was ultimately North's infraction of failing to make the opening lead face down which was responsible for denying South the opportunity to change his call in the light of a corrected explanation. I agree with the appellants that East has UI, but it's hard to see how it makes a difference to his bidding.

Richard Hills

If West had held a slightly different honour distribution (e.g. xxxx in spades and AQxx in clubs), then the final contract would have been an entertaining 5♦ in the 3-1 fit. As it was, stopping in 3NT was not a UI infraction – indeed East's Pass of 3NT was in fact carefully avoiding any use of the UI from West.

Frances Hinden

I don't really see why South would bid 4♥ on one auction but not on the other; as it was North's infraction in leading face up that prevented him from proving it at the table, I don't see the need for the TD to consider it. East did well to pass 3NT knowing from the UI that there was almost certainly a spade fit.

Paul Lamford

I think that South would normally bid 4♥ one-round earlier, and West now does not know that East does not want to make a slam-try in diamonds, as he has not passed 3NT. If East then bids 4♠, it could be a shortage. This looks a good hand for a poll to find out what would be bid with the authorised information. It looks as though the possibilities would be numerous.

Tim Rees

This one's complex, with MI, UI and a possibility of both pairs being treated as offending. It's clear that West has given an explanation that wasn't their agreement, so there's MI and UI. It's not clear from the (otherwise excellent) write-up by the TD what the exact timeline was. From my reading, South asked about the 3♠ bid when it was made, and North led at the end of the auction without waiting for further questions. If he led face-up immediately the auction finished, then East would not have had time to correct the MI. If this was the case, then N/S should lose the right for an adjustment based on South taking a different action over 3NT (but E/W might still get an adjustment – both sides therefore getting a poor score).

If South does bid 4♥, it's possible that West would double, in which case East doesn't seem to have any reason to remove it. It would appear to be an LA to defend 4♥*, likely to be -3 for +500 for E/W. As that's a worse score for them than 4♠ (or 3NT), that could be assigned as an adjusted score for E/W.

APPEAL No : 09.082

However, I don't see what effect the explanation had on South's bidding. There's not much difference between East having an invitational hand with spades and a slightly stronger hand with diamonds. The potential heart fit for N/S is the same, and the values are also similar. So South doesn't seem to have a case for an adjustment, and if he doesn't get to bid 4♥, any UI is irrelevant (E/W clearly didn't use UI to get to 3NT). So I agree with the ruling by the TD and AC.

David Stevenson

It would help if North had not faced his opening lead until it was time to do so.

A messy hand. I wonder about the 4♥ bid on one explanation but not another, and have my doubts: but if the TD or AC thought this unlikely the ruling would be the same.

APPEAL No : 09.084

Tournament Director: J G Pyner

Appeals Committee: Jeff Smith (Chairman), G Weir & P Mollart

<p>♠ 1032 ♥ AK2 ♦ A732 ♣ AK3 ♠ A864 ♠ KQJ975 ♥ J86 ♥ 10953 ♦ QJ ♦ 104 ♣ 10842 ♣ 6 ♠ - ♥ Q74 ♦ K9865 ♣ QJ975</p>	<p>Board 12 : Dealer West : NS vulnerable <i>West</i> <i>North</i> <i>East</i> <i>South</i> Pass 1♦ 2♠ 3♣ 4♠ 5♣ 5♠ Pass(H) Pass 6♣ All Pass Agreed hesitation.</p>
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Basic systems:

North-South play Acol weak NT

East-West play

Result at table:

6♣ making by South, lead not indicated

Director first called:

At end of auction

Director's statement of facts:

Called by West. Directed play to continue. Recalled by EW at conclusion of play. They protested 6♣ by North. I asked North why he bid 6♣. He replied that the auction virtually guaranteed a ♠ void in partner's hand and that with her 3♣'s bid 6♣ must be a good option. EW consider that 6♣ is not clear cut

Director's ruling:

Table result stands

Details of ruling:

Debatable whether or not North does in fact have UI here. Pass is clearly forcing under general bridge knowledge (although NS have no agreement here). If South does have a ♠ void, then North is looking at a very good hand in context and 6♣ is clearly logical action. Pass by South just expresses doubt. Would be far more concerned if South had doubled slowly and North had pulled that. L16

Appeal lodged by:

East-West

Appeals Committee decision:

Director's ruling amended

Score assigned for both sides:

5♠ doubled -4 by East West

Deposit returned

Appeals Committee's comments:

We feel the choice between Double and 6♣ has been influenced by the hesitation and with a flat hand we believe Double to be a sound LA.

Jeffrey Allerton

I agree with the TD's ruling and comments, so I am surprised to see that the AC adjusted the score. If you

APPEAL No : 09.084

accept that this is clearly a forcing pass auction, the message conveyed by South's pass in the authorised auction is "I'm not sure whether to bid on or double" whilst the message conveyed by a slow pass is similar. The slowness could be "I'm not sure whether to bid on or make a forcing pass" but could equally be "I'm not sure whether to double or make a forcing pass". In other words, the slowness of a pass in this type forcing pass situation does not demonstrably suggest any particular action, so there should be no consideration of adjusting the score.

Richard Hills

The Director asserted, "Pass by South just expresses doubt." Not so. An in-tempo forcing Pass indicates the expected values for one's doubt. A slooow forcing Pass indicated extra values for one's doubt, often so many extra values that the sloowness translates as, "I should really bid 6♣, but I am too wimpy to do so".

Frances Hinden

I really disagree with the AC's decision here. A slow forcing pass suggests doubt, but there's no way to know whether South is considering double or bidding instead of the pass, so no call is demonstrably suggested. The TD got this one right.

Paul Lamford

Seems a simple one, and a bad ruling by the original TD.

Tim Rees

I think the TD got this one right, and the AC made a bad decision to overturn.

What does South's hesitation suggest? That's he's not sure what to do over 5♠. And what does the authorised information available to North from the auction (including South's final pass) suggest? South had shown a good hand by bidding 3♣, so his pass of 5♠ is forcing and says that he's not sure what to do. So the UI doesn't give North any more information than he already has from the AI, and North is free to do what he wants. Double being an LA is irrelevant.

David Stevenson

South could be more defensive, and the spade void is not guaranteed. If the TD had asked some peers whether they would have considered doubling instead of 6♣ I am sure several would have considered it and some chosen it.

But does the hesitation suggest 6♣ over double? The AC do not seem to have considered this, and I am afraid that this may be an example of "If it hesitates, shoot it", a slang expression for the approach of ruling back any successful action after a hesitation. If North had doubled, and that was correct, would this AC have adjusted to 6♣ -1?

A forcing pass says "I do not know what to do". A hesitation and pass in a forcing situation says "I do not know what to do". So the UI tells north nothing. I think the AC lost their way here and there is no reason to adjust.