



**SUMMER MEETING 2003
SPRING FOURSOMES 2003
CROCKFORD'S FINAL 2003**

APPEALS

Edited by David Stevenson

ENGLISH BRIDGE UNION

SUMMER MEETING 2003 SPRING FOURSOMES 2003 CROCKFORD'S FINAL 2003

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All the appeals from the EBU Summer Meeting at Brighton, the EBU Spring Foursomes, and the EBU Crockford's Cup Final have been included herein. It is hoped that they will provide interest and an insight into the way that people in England are ruling the game.

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

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

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Commentators

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

David Stevenson, the editor, is an International Tournament Director from Liverpool, England. He has served as a member of the Tournament Appeals Committee of the World Bridge Federation, and on Appeals Committees in the ACBL and Sweden. He is a member of the Laws & Ethics Committees in England and Wales. He 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.

Richard Hills:

I know Symmetric Relay, English Acol, and the Ghestem pox;
In my comment'ry on casebooks I've a pretty taste for paradox,
I quote in elegiacs all revokes of Heliogabalus,
When claiming I can state peculiarities parabolous;
I can tell undoubted squeezes from pseudo-squeeze epiphanies,
I know the croaking chorus from the Frogs of Aristophanes!
Then I can hum a ruling of which I've heard the players panic for,
And whistle all the airs from that infernal book Kaplanic Law.

Chorus:

And whistle all the airs from that infernal book Kaplanic Law,
While waiting for the airs from that infernal book Grattanic Law
Next year the airs from that infernal book Grattaaaaaaaanic Law.

Richard Hills:

Then I can write on appeal forms in Babylonian cuneiform,
And cite the inconsistencies of exegesises scarce uniform:
In short, in casebook comment'ry, and as proof-reading editor,
I am the very model of a modern bridge competitor.

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

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

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

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

Frances Hinden and **Jeffrey Allerton** are tournament players from Surrey, England. Recent successes include winning the 2003 Gold Cup, while Jeffrey is a past European and World junior champion. They both used to direct club and county competitions, and Frances has recently joined the EBU panel of referees.

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

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

Gordon Bower is a bridge teacher and club director from Fairbanks, Alaska, USA. He has also directed extensively online, and chairs the Conventions and Systems Committee at Swan Games Company. He has won several regional events and served on the ACBL District 19 board of directors. Away from the bridge table he is a mathematician and geologist.

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

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Abbreviations

There are some abbreviations, and they are listed here:

| | |
|--------------|------------------------------|
| EBU | English Bridge Union |
| L&EC | Laws & Ethics Committee |
| TD | Tournament Director |
| Director | Tournament Director |
| AC | Appeals Committee |
| Committee | Appeals Committee |
| LA | Logical alternative |
| AI | Authorised information |
| MI | Misinformation |
| UI | Unauthorised information |
| PP | Procedural penalty [a fine] |
| N/S | North-South |
| E/W | East-West |
| (A) | Alerted |
| (H) | Hesitation [agreed] |
| (1), (2) etc | References to notes below |
| P | Pass |
| ♠♥♦♣ | Spades hearts diamonds clubs |
| Db1 | Double |
| Redbl | Redouble |
| NT | No-trumps |

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General

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

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

Score assigned for both sides (Law 12C3):

10% 6♣ -1 by West, NS +100

+60% 6♠ doubled -3 by N/S, NS -800

+30% 6♣ making by West, NS -920

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

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APPEAL No 1: Has my opponent found another ace?

Tournament Director:

Ted Hill

Appeals Committee:

Heather Dhondy (Chairman) Alan Kay Malcolm Harris

| | | | | | | | | | | | |
|--|---|----------|----------|--|----------|--|----------|--|----------|--|-----------------------------------|
| Swiss Pairs Board no 9 Dealer North EW vulnerable | ♠ 98 ♥ JT ♦ AQ65 ♣ KT753 | | | | | | | | | | |
| ♠ AQ74 ♥ AQ95 ♦ 8 ♣ Q642 | <table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table> | | <i>N</i> | | <i>W</i> | | <i>E</i> | | <i>S</i> | | ♠ J632 ♥ 8432 ♦ K74 ♣ AJ |
| | <i>N</i> | | | | | | | | | | |
| <i>W</i> | | <i>E</i> | | | | | | | | | |
| | <i>S</i> | | | | | | | | | | |
| | ♠ KT5 ♥ K76 ♦ JT932 ♣ 98 | | | | | | | | | | |

| <i>WEST</i> | <i>NORTH</i> | <i>EAST</i> | <i>SOUTH</i> |
|-------------|--------------|-------------|--------------|
| | Pass | Pass | Pass |
| 1♥ | 1NT(1) | Dbl | Pass |
| Pass | 2♣ | 2♥ | Pass |
| 2♠(A) | Pass | 3♠(2) | Pass |
| Pass | Pass | | |

- (1) North's 1NT showed both minors (having passed) but was not alerted.
- (2) At the time East bid 3♠ or marginally after, South alerted the 1NT and explained it as both minors.

Result at table:

3♠ +1 by West, NS -170

Director first called:

At end of hand by East

Director's statement of facts:

East felt damaged by the failure to alert. He said he would have bid 2NT instead of double. This would have been a good raise in hearts which West said he would correct to 4♥. TD asked North why he bid 2♣ when his partner had passed the double. He said it was not a penalty pass. His partner had opened with a pass which meant they did not have enough to make 1NT. Even without the UI he would still bid 2♣. TD asked East why he did not call the TD when he discovered he had been misinformed. TD could have "given him his call back" under Law 21B1. He had no satisfactory reply.

Director's ruling:

Table result stands

Details of ruling:

E/W knew the meaning of the 1NT before the auction ended. Their failure to call the TD contributed to their failure to bid game. Laws 9B1 and 9B2.

Note by editor:

E/W are an experienced tournament pair.

Appeal lodged by:

East-West

Director's comments:

E/W could have protected themselves during the auction. They stopped short of game after they were correctly informed.

Appeals Committee decision:

Director's ruling upheld
Deposit returned

Appeals Committee's comments:

We think that double is a sub-optimal call with 4-card trump support, and thereafter the bidding by both East and West was strange. They damaged themselves in the auction.

David Stevenson's comments:

E/W have missed a mediocre game because of their bad bidding. They try to get it back by claiming misinformation, despite not calling the TD at the correct time.

What misinformation? Having passed, do they expect North to have a strong no-rump hand? Any experienced player will know that 1NT was not natural despite the failure to alert.

This is an example of the "Bridge Lawyer" at his worst: he tried to win the board during the bidding, through the TD and via an appeal. Since there was no misinformation, no apparent damage, and the TD was not called at the correct time, why was the deposit refunded?

Richard Hills' comments:

The details of the TD's ruling were: "E/W knew the meaning of the 1NT before the auction ended. Their failure to call the TD contributed to their failure to bid game. Laws 9B1 and 9B2."

I disagree with the rationale of the TD's ruling. It is not a failure by E/W alone, it is a failure by **both** N/S **and** E/W to summon the TD. Law 9 does not state "the non-offending side must summon the Director". Rather, Law 9 states that the Director must be summoned at once, and that any player (including dummy) may do the summoning. Therefore, as TD, I would apply a Procedural Penalty to **both** N/S **and** E/W for infracting Law 9.

However, I would join the actual TD in not adjusting the table score. But my rationale for not adjusting the table score would not be Law 9, but rather the first sentence of Law 11A, which states, "The right to penalise an irregularity may be forfeited if either member of the non-offending side takes any action before summoning the Director."

Herman De Wael's comments:

While I am in general quite lenient on people not calling the Director when it is their obligation to do so, I will rule against them if their failure meant that a simple solution had been available to them. If East calls the Director when he gets the belated alert, he might bid something else than 3♠. 3♣ or 3♦ spring to mind. Now that he does not ask for his bid back, he should not be given anything later. East and West did have 2 calls each with misinformation, but while they have done something else with other information, it is not clear what.

Eric Landau's comments:

The committee upheld the Director's ruling, but the Director had a legitimate rationale for that ruling, whereas the committee did not. They comment that "double is a sub-optimal call" and that E-W "damaged themselves in the auction". Both of these are true, but legally irrelevant. There is no suggestion that E-W's actions were "irrational, wild or gambling". That is a much stronger criteria than merely "sub-optimal", or "damaged themselves", and must be met before the non-offenders actions can cause them to lose redress to which they would otherwise be entitled. If the committee believed that E-W's actions were irrational, wild or gambling, it was incumbent on them to say so.

Con Holzschere's comments:

Well done by TD and AC, but why was the deposit returned?

Ron Johnson's comments:

This hand is an example of why you always call the director to sort out irregularities. I do agree that the failure to call him contributed to their bad result. Having said that, I disagree with parts of the director's comments and all of the committee's comments. Yes, director can give East his 3♠ call back. I don't think it would help. What is he supposed to do at this point? He doesn't have the "good raise in hearts" available any longer. (In other words, had the director been called as he should have, I make this a candidate for an adjusted score)

And I **strongly** disagree with the committee's comments. In the first place they really should not be giving bidding advice, and I can certainly see the logic in not wanting to make a strong raise in the face of what seems to be a natural call. I mean on the hand they are the missing KJT76. I'd expect 4 to the KJ behind partner quite frequently.

I guess there is an issue that an experienced tournament pair could/should have realized that a natural NT overcall by a passed hand can't be natural by sane opponents. (I used to play it as natural in my younger days. A hand not worth a weak NT opener. But in those days nobody doubled for penalty). However, as best I can tell East/West are entitled to assume that the 1NT call was natural.

Frances Hinden's comments:

I agree with the TD and the AC here. East bid his socks off (doubling 1NT, then raising 2♠ to 3♠) yet West didn't bid game, whereas he would if East had bid 2NT rather than double? E/W – an experienced tournament pair – heard a passed hand overcall 1NT then pull 1NTx to 2♣ but it didn't occur to them until after the 3♠ bid that it might not have been natural? West discovered during the play that the cards lay well and that a light 4 major happened to be making and only then asked for a ruling. One good use of 21B1 is to prevent this kind of double shot. The AC's comment that they think double is sub-optimal is unnecessary however; they aren't there to teach EW how to bid.

Fearghal O'Boyle's comments:

Excellent investigation by the TD. He investigated the possible use of UI in bidding 2♣ and made a good ruling. The AC did well too. We must train players to call the TD whenever attention is drawn to an irregularity.

Anyone for keeping the deposit?

Adam Wildavsky's comments:

The TD ruling does not seem to take the laws into account. EW do not need to bid or play perfectly subsequent to the infraction in order to receive redress. The question is whether it led to damage. Further, if we judge that EW were misinformed, then even if the EW bidding was egregiously poor the NS score still ought to be adjusted under law 72b1.

Were EW misinformed? That's another matter. I'd have to know the standard of the game, but I'd expect most tournament players to play an opponent who had passed to lack opening values.

Gordon Bower's comments:

Agree with the ruling. It's hard to imagine an experienced tournament player believing a passed-hand 1NT was to play, alert or none.

Laurie Kelso's comments:

A sub-optimal call is not a reason by itself to deny redress. The committee needed to consider whether an original alert by South would have allowed E/W to reach 4S. My opinion is that it would not have. Yes, E/W should have called the Director immediately they discovered the non-alert. The actual auction up to that point probably placed E/W in a better position than without the infraction! The Director's reasons for non-adjustment seem much more valid than the Appeals Committee's.

Final summary by editor:

There seems a difference of opinion as to whether E/W were damaged. But none of the arguments from those who thought E/W were damaged gives any reasonable argument why they should play a hand that had passed for a strong no-trump overcall.

APPEAL No 2: I hope partner will not open 1NT – ohhh!

Tournament Director:

John Pain

Appeals Committee:

Frances Hinden (Chairman) John Williams Gareth Birdsall

| | | | | | | | | | | | |
|---|---|----------|----------|--|----------|--|----------|--|----------|--|-----------------------------------|
| Swiss Pairs Board no 2 Dealer East NS vulnerable | ♠ A753 ♥ A4 ♦ T4 ♣ AKQ85 | | | | | | | | | | |
| ♠ 864 ♥ 963 ♦ 976 ♣ J973 | <table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table> | | <i>N</i> | | <i>W</i> | | <i>E</i> | | <i>S</i> | | ♠ KJ2 ♥ KJ5 ♦ KJ853 ♣ T6 |
| | <i>N</i> | | | | | | | | | | |
| <i>W</i> | | <i>E</i> | | | | | | | | | |
| | <i>S</i> | | | | | | | | | | |
| | ♠ QT9 ♥ QT872 ♦ AQ2 ♣ 42 | | | | | | | | | | |

Basic systems:

North-South play Acol, weak NT

East-West play Benji Acol, weak NT

| WEST | NORTH | EAST | SOUTH |
|-------|-----------|-------|---------|
| | | 1NT | Pass |
| 2♣(A) | Dbl(A)(1) | 2♦(A) | Pass(H) |
| Pass | 2NT(H)(2) | Pass | 3NT |
| Pass | Pass | Pass | |

(1) Shows clubs

(2) 30 second pause

Result at table:

3NT +2 by North, NS +660, lead ♥5

Director first called:

At end of auction

Director's statement of facts:

The facts were agreed. South's pass was slow. North's 2NT was also slow. TD was recalled at end of play. E/W were unhappy at the calls after the hesitation. South said he was thinking of bidding 2♥. North felt he was worth another bid and South bid 3NT because of his initial hesitation.

Director's ruling:

Score assigned for both sides (Law 12C3):

- 25% of 2♦-4 by East, NS +200
- + 50% of 2♦-3 by East, NS +150
- + 25% of 2♦-2 by East, NS +100

Details of ruling:

Following South's hesitation it was not a 70% action to make another bid.

Appeal lodged by:

North-South

Basis of appeal:

2NT is evident

Appeals Committee decision:

Table score re-instated

Deposit returned

Appeals Committee's comments:

We do not consider pass by North a logical alternative. We do not consider 2NT to have been suggested by the hesitation.

David Stevenson's comments:

Fair enough, the Appeals Committee does not consider pass an LA. But why do they not think 2NT is suggested by the hesitation? 2NT is always somewhat dangerous when an opponent has shown values and partner has not, especially with no stopper in the opponent's apparent best fit, and 2♠ would be safer. However, there was probably no damage because 2♠ should lead to 3NT.

Richard Hills' comments:

An impeccable ruling by the TD, but the AC crashed and burned while crossing a pons asinorum.

The AC acted within its powers to judge that Pass was not a logical alternative. But the AC's further judgement that, "We do not consider 2NT to have been suggested by the hesitation," seems dubious to me.

North's double has already shown North's club suit. If North wished to bid again, a descriptive 2♠ call is a safer action than a 2NT call. The disadvantage of a safe 2♠ call vis-a-vis a risky 2NT call, is that a safe 2♠ call is ambiguous as to strength – it may merely be a balancing action. Meanwhile the risky 2NT call more accurately describes North's values – thus minimising the chance of missing game, but at also maximising the chance of –800.

So, the risky 2NT call might have been avoided unless North knew it was risk-free. And North did know that the 2NT call was risk-free, because South's hesitation demonstrably promised some values. North now knew the chance of –800 was nil, and the chance of reaching a cold 3NT was likely.

Therefore, I would rule that North's only Lawful logical alternative was not to reopen with 2NT, but rather to reopen with 2♠. Given that South was too wimpy to insert a 2♥ call over East's 2♦, I would rule that South would also be too wimpy to bid on after a possibly balancing 2♠.

My AC ruling would be adjusting the score to 2♠ +170, plus a PP on North for infracting Law 73C, which states:

"When a player has available to him unauthorised information from his partner, as from a remark, question, explanation, gesture, mannerism, special emphasis, inflection, haste or hesitation, he must carefully avoid taking any advantage that might accrue to his side."

Herman De Wael's comments:

It seems clear for North to re-open the bidding, having shown only his clubs and not his 17-count. There is one sting to the tail, however. South realizes he has given Unauthorized Information, and yet partner calls once more. Does this not show extra values, and is that information authorized? I don't think it is. So maybe the adjustment ought to be towards 2NT+3.

Ron Johnson's comments:

I agree with the committee that pass is not a logical alternative. 3 clubs might be, but I'd expect South to go on after that. I think double is the action suggested by the hesitation. It covers any hand partner might have had for the hesitation.

I think North/South's basis of appeal is nonsense -- a stopperless 2NT is far from evident -- but that doesn't matter.

Frances Hinden's comments:

Pass for North was not a LA, after which N/S are bound to bid 3NT. If we believe that bidding 2NT was suggested over other actions, we might consider 3NT+1 by South on a diamond lead, but at the time we couldn't see why the hesitation showed a diamond stop.

Fearghal O'Boyle's comments:

I am obviously missing something here but I am gob smacked at the AC decision. Doesn't South's slow pass over 2♦ show values and thus make a further move by North safer?

I would like to see North players use 73C in these situations and avoid taking any action that might be deemed dubious.

I think the TD had it spot on – adjust the score back to a 2♦ contract but with maybe a bit more weighting to 2♦ - 4.

And keep the deposit!

Adam Wildavsky's comments:

The TD ruling was reasonable. The AC decision may be correct, but one of their statements does not make sense. Certainly 2NT was suggested by the hesitation. The hesitation suggests values, and if South has values pass will work poorly. That said, I don't think many would pass out 2♥ with the North hand. I'd have liked to see a decision based on whether the hesitation suggested 2NT over 2♠, and what the likely contracts would have been had North bid 2♠.

Gordon Bower's comments:

Agree with the Appeals Committee's decision. I like 2♠ or 3♣ by North better than 2NT, but I don't think pass would be a popular call.

Laurie Kelso's comments:

I agree that 'Pass' is not a logical alternative, however I also believe that 2NT is a suggested action. Why can't South be considering an action that would show a diamond suit or stopper? 2NT with either seems strange without either. I would be disallowing North's NT balance but looking at final contracts such as 4♥, 4♠, 2♦X and 3NT via other paths.

Final summary by editor:

It seems more thought might have been given to disallowing 2NT not in favour of pass but of other actions. A weighted score including some part-scores may be the correct answer here.

APPEAL No 3: It's just a normal club opening

Tournament Director:

Liz Stevenson

Appeals Committee:

Heather Dhondy (Chairman) Unal Durmus Jeffrey Allerton

| | | | | | | | | | | | |
|--|---|----------|----------|--|----------|--|----------|--|----------|--|-----------------------------------|
| Swiss Pairs Board no 9 Dealer North EW vulnerable | ♠ J ♥ J643 ♦ Q53 ♣ QJT63 | | | | | | | | | | |
| ♠ AT5 ♥ AQT8 ♦ J92 ♣ 842 | <table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table> | | <i>N</i> | | <i>W</i> | | <i>E</i> | | <i>S</i> | | ♠ K876 ♥ K952 ♦ K74 ♣ K7 |
| | <i>N</i> | | | | | | | | | | |
| <i>W</i> | | <i>E</i> | | | | | | | | | |
| | <i>S</i> | | | | | | | | | | |
| | ♠ Q9432 ♥ 7 ♦ AT86 ♣ A95 | | | | | | | | | | |

Basic systems:

North-South play Acol + Multi

East-West play 2/1, 5 card majors

| WEST | NORTH | EAST | SOUTH |
|------|-------|-------|----------|
| | Pass | 1♣(A) | 1♠(A)(1) |
| 1NT | 2♣(A) | Pass | Pass |
| 2♥ | Pass | Pass | Pass |

(1) Explained as two majors or two minors

Result at table:

2♥ -1 by West, NS +100, lead ♣Q

Director first called:

At end of hand by E/W

Director's statement of facts:

E/W said that if they knew the 1♠ bid was natural the hand would be played by East and 2♥ would have made. When asked the meaning of 1♠ E/W had been told that it showed either the majors or the minors.

Director's ruling:

Score assigned for both sides:

2♥ making by West, NS -110

Details of ruling:

North gave a mistaken explanation of the 1♠ bid. If West knows the bid shows a spade suit he can pick up the spade suit. Law 75D2.

Appeal lodged by:

North-South

Comments by North-South:

Irrelevant which way played as four trumps and three spades = 2♥ -1. If trumps not drawn one spade winner at least will be ruffed and 2♥ -2 is likely.

Appeals Committee decision:

Table score re-instated

Deposit returned

Appeals Committee's comments:

It is far from clear to make 2♥ played the other way up, and if a negative double was made, West would probably raise 2♥ to 3♥ anyway.

David Stevenson's comments:

I wish that the TD had explained the alerted 2♣ bid. If South took it as an Unassuming Cue Bid, agreeing spades, his pass looks like a gross use of UI, and an adjustment to 2♠ doubled looks reasonable. This plays well, but one off would at least be a plus score for E/W.

Richard Hills' comments:

This section of the WBF Code of Practice has been adopted by the EBU:

“It is the function of the Director to make a ruling in a judgemental matter, having consulted appropriately, that executes most accurately the intention of the laws. The desire is that the Director shall not rule automatically in favour of the non-offending side when he is in no doubt that a true judgement requires him to rule otherwise.”

It is unclear from the write-up of this appeal whether or not the TD bothered to consult appropriately before the TD made their judgement ruling. If no such consultation occurred, then there is a prima facie case that a Director's error caused the AC's drinking time to be unnecessarily wasted.

Herman De Wael's comments:

North-South's comments may well be valid, but then how did West make the seven tricks that he did? Apparently he did not make 3 spade tricks, or the Director would not have awarded him an extra one. So he must have made one of his minor kings. Surely that can also happen in the alternative world in which he does manage to make 3 spade tricks. So why not give it to him? As for the comment that EW would probably bid 3 hearts anyway - who is the offending side here? I believe East-West were not given the protection they are entitled to by law. At least a weighed score of some % of 2H making seems in order.

Con Holzscherer's comments:

I have a problem here with South's pass over 2 clubs. He overcalls 1 spade over 1 club and subsequently alerts partners 2 club bid. So, how can he pass 2 clubs? The only reason I can think of, is that he used the information that his partner gave a wrong explanation of 1 spade.

Ron Johnson's comments:

I don't agree with the committee's decision. Is it impossible that South would lead clubs? Or even diamonds. That's not an attractive hand to lead from. For that matter, on a spade lead it seems duck soup to end-play South for the 8th trick. (It's not particularly difficult to decide to play the overcalling hand for both missing aces. Nor is playing North for Jxxx of trump a big position)

I also can see no particular reason to assume that East/West would end up at the 3 level if East had made a negative double. I'm used to the ACBL where 12C3 is not enabled and would have no hesitation in ruling East/West +110. In the EBU I would estimate at least a 40% chance of +110 (and probably higher -- I'd suggest 75% for planning purposes -- willing to be convinced to lower the probability. I think most committees and directors are insufficiently sympathetic to the non-offending side in 12C3 cases) and no real chance of -200.

Frances Hinden's comments:

Two important points here: First, the TD (and the AC) have ruled on the basis of MI rather than misbid, but there is no reason given. Second, the TD and AC have concentrated on the play in a heart contract, but what about South's pass of 2♣? This could be a blatant use of UI, as the bid is commonly played as a spade raise. Even though EW did not mention this, the TD or the AC should have asked what 2♣ meant and possibly adjusted to something horrible for NS. I can see the potential for a complicated 12C3 ruling.

Jeffrey Allerton's comments:

If E/W knew the 1♠ overcall was systemically natural while North still thought it was majors or minors, the auction might have gone 1♣ - 1♠ - x - 2♣ - 2♥ - 2♠ - 3♥ all pass, resulting in a worse score for EW and hence no adjustment.

Fearghal O'Boyle's comments:

There was MI but no damage so the AC got it right. Table result stands. And South did well to avoid the use of UI by passing the 2♣ bid.

Adam Wildavsky's comments:

I'd like to know why the AC did not apply 12C3 here. If West would raise 2♥ 3 times in four, and East would make two hearts one time in four, it still seems that EW are due a small adjustment.

Gordon Bower's comments:

I think that East is very likely to come to 8 tricks if he declares. That said, I agree that the final contract would probably be 3♥-1. No complaints with the application of the law by the director or AC, just a difference in judgment.

Laurie Kelso's comments:

The Director believed that N/S were damaged by the unauthorised information. The Appeals Committee ruled 'No Damage' since 2H-1 appears to be the limit of the hand.

Final summary by editor:

Richard throws doubt on whether the TD consulted. Trained EBU TDs learn very early on **always** to consult and thus few bother to write on the form that they had followed normal procedure: it is assumed.

Con and I comment on the pass of 2♣, and I still wonder whether this should not be the basis of the ruling. However, Fearghal says the opposite.

APPEAL No 4: Is it unusually unusual?

Tournament Director:

Roland Bolton

Appeals Committee:

Jeremy Dhondy (Chairman) Steve Capal David Jones

| | | | | | | | | | | | |
|--|---|----------|----------|--|----------|--|----------|--|----------|--|-----------------------------------|
| Swiss Pairs Board no 9 Dealer North EW vulnerable | ♠ - ♥ KQ2 ♦ AKJT853 ♣ JT7 | | | | | | | | | | |
| ♠ QT632 ♥ 74 ♦ 7 ♣ AKQ64 | <table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table> | | <i>N</i> | | <i>W</i> | | <i>E</i> | | <i>S</i> | | ♠ AJ875 ♥ T65 ♦ 962 ♣ 85 |
| | <i>N</i> | | | | | | | | | | |
| <i>W</i> | | <i>E</i> | | | | | | | | | |
| | <i>S</i> | | | | | | | | | | |
| | ♠ K94 ♥ AJ983 ♦ Q4 ♣ 932 | | | | | | | | | | |

| WEST | NORTH | EAST | SOUTH |
|------|-------|------|-------|
| | 1♦ | Pass | 1♥ |
| 1NT | 3♦ | Pass | 3NT |
| Pass | Pass | Pass | |

Result at table:

3NT -2 by South, NS -100

Director first called:

At end of hand by South

Director's statement of facts:

South claimed damage because of failure to alert 1NT bid by West, which showed spades and clubs.

North stated that had she known that West was showing 5/5 in spades and clubs she would not have passed 3NT.

Director's ruling:

Score assigned for both sides:

4♥ making by South, NS +420

Details of ruling:

Misinformation. Laws 21B3 and 12C2.

Appeal lodged by:

East-West

Basis of appeal:

East does not play 1NT as showing a 5/5 hand.

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

We accepted that E/W had different ideas of what 1NT was but they had played together for some time and their failure to be able to explain damaged N/S and made it much more difficult to bid to 4♥.

David Stevenson's comments:

I wonder how certain we are that N/S will get this tricky hand right without the misinformation? Perhaps a weighted score including a small percentage of 3NT going off would be sensible here.

Richard Hills' comments:

An impeccable ruling by the TD, but the AC crashed and burned while crossing a pons asinorum.

It is ambiguous whether or not the EBU requires “undiscussed” calls (without any partnership agreement) to be alerted. On the one hand, Orange Book clause 5.1.5 states that, “When there is no alert, your opponents can assume that the call does not fall within an alertable category.” On the other hand, Orange Book clause 5.2.2 states that, “General bridge inferences, like those a new partner could make when there had been no discussion beforehand, are not alertable, but you must alert any inferences drawn from partnership experience or practice which may not be expected by your opponents.”

Perhaps a clue on how to resolve the ambiguity of the alertability of “undiscussed” calls comes from the official WBF Definition of “Convention” in Chapter 1 of the Laws:

“Convention – 1. A call that, by partnership agreement...”

That is, an “undiscussed” call (without any partnership agreement) is, by definition, not a conventional call. It is irrelevant whether or not the player using the “undiscussed” call intended its meaning to be conventional. Since traditionally “conventional” and “alertable” have a high degree of overlap, it seems sensible to me that Orange Book clause 5.2.2 has primacy over Orange Book clause 5.1.5, and consequently that an “undiscussed” call is logically not alertable.

Okay. Now that the lemma has been solved, let us watch the Appeals Committee attempting to cross a pons asinorum. East’s basis for appealing was that East did not play a 1NT overcall in the “sandwich” position (after both opponents had called) as showing a 5/5 hand. The AC accepted that E/W had different ideas of what 1NT was. Logically, the AC should now have ruled that East had no obligation to alert a non-agreement, E/W had committed no infraction, and N/S had just been unlucky after an E/W bidding misunderstanding. Law 40A gives players the right to confuse both partner and opponents: “A player may make any call ... not based on a partnership understanding.”

But the AC actually crashed and burned through the pons asinorum. The AC unlawfully ruled that E/W “had played together for some time and their failure to be able to explain damaged N/S”. That is, according to this AC, Law 40A does not apply to experienced partnerships.

I was once guilty of failing to have an agreement about “sandwich” 1NT overcalls when partnering another Aussie expert. I am glad that my failure to discuss system did not occur in England, or no doubt this AC would have assessed a Procedural Penalty against me for failing in my duty as an experienced player.

Herman De Wael's comments:

East's comment is invalid: he should know that it is not what East plays that is important, but what East/West are playing. There is evidence that 1NT shows a two-suiter, so EW should bring in evidence to the contrary. As there is no such evidence, the ruling should be based on misinformation. I don't buy North's after-the-fact's statement that he would not have passed 3NT with correct information, and so I don't believe North/South were damaged. But as this was not addressed by East/West in the appeal, we shall keep quiet about that.

Ron Johnson's comments:

I simply can't see this as a mis-information case. There is no indication that East/West play the 1NT call as unusual. And if that's the case, there's no basis in the laws for this ruling. What's striking is that the committee said as much. I have some sympathy for their dilemma, but East's obligations under the Laws are to explain their agreements. As far as I can tell, East met those obligations.

Besides, it's far from unheard of for a strong NT overcall to contain a strong 5 card suit. I don't accept that the mis-information damaged North/South. North chose to suppress strong 4 card support (with a side void) for partner.

Frances Hinden's comments:

What, if any, was EW's agreement about the 1NT bid? The Director has ruled that their agreement was the other two suits. The AC seems to be saying that EW had no agreement but that they ought to have one. However, we do not penalise people for that: if there really was no agreement then there is no damage and the table result should stand.

Jeffrey Allerton's comments:

I don't see that North's decision over 3NT is much different whatever 1NT means. However, after 1NT North would have had a cuebid available had it shown the blacks. If we decide there was MI, how far should the AC go in suggesting possible actions to NS that they do not themselves suggest?

Fearghal O'Boyle's comments:

I suppose I'm on my own again here but I would let the table result stand. O.k. there was MI but surely South knows that West has not got a big balanced hand when he sees 3♦ from his partner?

I have sympathy for North – who may or may not have passed 3NT with good information – but I don't think South bid the hand well and therefore any resulting damage is self inflicted.

I'd keep the deposit too!

Adam Wildavsky's comments:

Good work all around.

Gordon Bower's comments:

If the committee wishes to rule in NS's favour, let them cite the footnote to L75 to presume mistaken explanation. "Failure to be able to explain" is an invented pseudo-infraction.

The AC might also have chosen to lay the blame for the whole affair on South's poor 3NT: if 1NT were strong, the only NS game can come from distribution not high cards, and 3NT is quite a gamble.

Laurie Kelso's comments:

The only question here is whether E/W have an agreement about 1NT? It would have been clearer if the Appeals Committee had stated their findings on this issue, since it was the basis of the E/W appeal. They appear to have ruled that an implicit understanding exists. Maybe the footnote to Law 75D should have been quoted?

Final summary by editor:

Note that while Richard discusses the alertability of a call based on whether it is conventional, the EBU alert rules deliberately never use the term convention. Alertability is based in part on whether a call is natural or not, but never on whether it is conventional or not: the EBU does not believe that natural is the opposite of conventional. I also do not understand why he suggests this Committee might have given him a Procedural Penalty in a similar situation when this Committee gave no Procedural Penalty nor even mentioned one.

This does not seem a very clear appeal, and the comments do not clear up the difficulties.

APPEAL No 5: Haven't I got nice spades?

Tournament Director:

Ted Hill

Appeals Committee:

Jeremy Dhondy (Chairman) Paul Hackett Tony Gordon

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|---|---|----------|----------|--|----------|--|----------|--|----------|--|-----------------------------------|
| Swiss Pairs Board no 21 Dealer North NS vulnerable | ♠ 54 ♥ KQJ93 ♦ KQT54 ♣ Q | | | | | | | | | | |
| ♠ J87 ♥ 2 ♦ A93 ♣ J86543 | <table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table> | | <i>N</i> | | <i>W</i> | | <i>E</i> | | <i>S</i> | | ♠ AKQ92 ♥ AT64 ♦ 7 ♣ T97 |
| | <i>N</i> | | | | | | | | | | |
| <i>W</i> | | <i>E</i> | | | | | | | | | |
| | <i>S</i> | | | | | | | | | | |
| | ♠ T63 ♥ 875 ♦ J862 ♣ AK2 | | | | | | | | | | |

| <i>WEST</i> | <i>NORTH</i> | <i>EAST</i> | <i>SOUTH</i> |
|-------------|--------------|-------------|--------------|
| | 1♥ | Dbl(1) | 3♥ |
| Pass(H)(2) | Pass | 3♠ | Pass |
| Pass | 4♥ | Pass | Pass |
| 4♠ | Pass | Pass | Pass |

(1) Shows opening values

(2) West asked about the 3♥ and was told it was pre-emptive. She then passed.

Result at table:

4♠ making by West, NS -420

Director first called:

At end of hand

Director's statement of facts:

The 3♠ was made after the question from West. East said she was just showing her suit as is their practice. The pass was not forcing and West could systemically have had 0 HCP.

Director's ruling:

Score assigned for both sides:

3♥ -1 by South, NS -100

Details of ruling:

3♠ is not evident. Law 16A.

Appeal lodged by:

East-West

Director's comments:

Many players may bid with the East hand. Many may alternatively feel that if partner had the West hand she would have bid. Therefore if she does not bid she does not have the West hand.

Appeals Committee decision:

Table score re-instated

Deposit returned

Appeals Committee's comments:

3♠ was evident. The information given by the question was also available from the auction and East's decision to bid 3♠ is justified.

E/W should be advised of the danger of asking about bids in a live auction.

David Stevenson's comments:

Whether 3♠ is evident or not is a judgement matter. If more than seven out of ten of East's peers would make the bid then it is evident, ie pass is not a logical alternative. Note that other countries have different standards.

The problem with asking questions during the auction is that experience has shown that in England players only tend to ask with an interest in the auction, thus the question shows values. Again, different views are held in other countries where attitudes to questions are different.

Richard Hills' comments:

I cannot determine logical alternatives for an E/W partnership that has an illogical agreement for takeout doubles. However, on the available facts, it seems to me that the AC was right and the TD was wrong. No criticism for the TD – the AC had more time to discover the consequential details of E/W's illogical partnership agreement. E/W seem to have a consequential illogical agreement that after they illogically double they must illogically stick their necks out with an illogical three-level bid of a suit.

But I do disagree with the AC stating: "E/W should be advised of the danger of asking about bids in a live auction."

1♥ – Double – 3♥ (pre-emptive) is not alertable under EBU rules. The other likely option 1♥ – Double – 3♥ (limit raise) is also not alertable under EBU rules. It is not West who should have been criticised by the AC for asking a question about the meaning of the 3♥ jump raise. Instead, the AC should have criticised the EBU Alert sub-committee for placing West in an invidious position. If the EBU Alert sub-committee ruled that a pre-emptive 3♥ call was alertable, and that a limit raise 3♥ call was not alertable, then West's question would have not have been necessary.

Herman De Wael's comments:

This is just a players' problem. Who are we to disagree with as eminent a committee as this one?

Ron Johnson's comments:

I kind of agree with the director here. Having chosen to double initially, I'd be really concerned that partner has some kind of garbage with diamonds. Concerned enough that I'd sell to 3♥ though, that's the question. I don't think so. It's easy to visualize 8 to 9 tricks opposite nothing and partner rates to have a little something.

This is old ground, but I believe that the committee is flat wrong in their assertions about the asking of questions. If you only ask when the answer will affect your subsequent actions you are guaranteed to pass information. I know I'd ask about the 3♥ call regardless of what I held.

(As an aside, isn't a preemptive raise alertable here? Not that South has what I'd consider a preemptive raise. Which makes the issue kind of moot.)

Frances Hinden's comments:

It is AI from the auction that West has short hearts. Was pass a LA to 3♠ for an East who plays double as "opening values"? The committee have decided not, and without talking to the players concerned I don't see a reason to disagree.

Fearghal O'Boyle's comments:

I think the AC summed it up perfectly – the auction is a source of authorised information.

I have sympathy for the TD. There is possible UI from the question and but I would be surprised if I could find any of East's peers who would pass 3♥.

Adam Wildavsky's comments:

This deal shows that the EBU policy that one should not ask a question unless planning to bid is a poor one. Whether one bids or not may depend on the answer to the question! That said, if West passed when the bid was described as pre-emptive then presumably she'd have passed no matter what it meant.

It's not relevant here, but did South really intend 3♥ as a pre-empt?

Gordon Bower's comments:

We aren't told if there was a question followed by a lengthy pause, or just a question, a reply, and a call.

If there was in fact a pause, it's a close decision whether to impose a pass on East. I can imagine result stands, 3♥X-1, and 3♥-1 as possible rulings.

If neither 3♥(limit) nor 3♥(weak) is alertable, this is such a routine question that there is probably no UI case at all unless there was some additional hemming and hawing from West.

Laurie Kelso's comments:

A straight judgment situation, the Director believed that 'Pass' was a logical alternative; the Committee did not.

Final summary by editor:

At tournament level it is so very rare to find a pair playing 3♥ as limit that very few players would ever ask: it may be a routine question in other jurisdictions but it is not so here. It is definitely not alertable.

It is not fair to complain that the Appeals Committee quoted EBU advice. If it is wrong advice – and my view having played in several countries is that the advice is good in England even though it may not be elsewhere – then that is for the EBU to decide, not an individual Appeals Committee.

APPEAL No 6: A two-suiter with a difference

Tournament Director:

Robin Barker

Appeals Committee:

Neil Rosen (Chairman) Cameron Small Phil King

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| Swiss Pairs Board no 27 Dealer South None vulnerable | ♠ AQ8 ♥ 62 ♦ KQT984 ♣ T3 | | | | | | | | | | |
| ♠ K762 ♥ A43 ♦ J75 ♣ K94 | <table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table> | | <i>N</i> | | <i>W</i> | | <i>E</i> | | <i>S</i> | | ♠ J543 ♥ KQT9875 ♦ - ♣ 86 |
| | <i>N</i> | | | | | | | | | | |
| <i>W</i> | | <i>E</i> | | | | | | | | | |
| | <i>S</i> | | | | | | | | | | |
| | ♠ T9 ♥ J ♦ A632 ♣ AQJ752 | | | | | | | | | | |

Basic systems:

North-South play 2/1

East-West play 5 card major + strong NT

| <i>WEST</i> | <i>NORTH</i> | <i>EAST</i> | <i>SOUTH</i> |
|-------------|--------------|-------------|--------------|
| | | | 1♣(A)(1) |
| Pass | 1♦ | 3♣(A)(2) | Pass |
| 3NT | Dbl | 4♥ | Pass |
| Pass | Pass | | |

(1) May be short

(2) Asked and explained as natural. Systemically it shows 4+ spades, 6+ hearts.

Result at table:

4♥ making by East, NS -420

Director first called:

At end of hand

Director's statement of facts:

At the end of the auction East explained his 3♣ bid. E/W invited N/S to call the TD but no-one did. At the end of the hand N/S called the TD and said that with the correct explanation of 3♣ as artificial South would bid 3♦, and they would reach 5♦.

Director's ruling:

Score assigned for both sides:

5♦ making by North, NS +400

Details of ruling:

South has been misinformed and would bid 3♦ and North would force to game. West would not support hearts as she has forgotten, East has already shown hearts and has unauthorised information from West's explanation of 3♣, so he will not bid 5♥ over 5♦. Law 21.

Appeal lodged by:

East-West

Appeals Committee decision:

Score assigned for both sides (Law 12C3):

50% of 5♦ making by North, NS +400

+ 50% of 5♥ doubled -1 by East, NS +100

Deposit returned

Appeals Committee's comments:

We understand the TD's decision, however we feel West would still have bid over 3♦ by South, thus aiding East to bid on to 5♥ over 5♦.

So our proposed likely auction is

1♣ - P - 1♦ - 3♣ -

3♦ - 4♣ - 5♦ - 5♥, or

1♣ - P - 1♦ - 3♣ -

3♦ - 4♣ - 5♦ - P

East is allowed 5♥ half the time since the 4♣ bid is likely to suggest a different, more suitable hand for the majors.

David Stevenson's comments:

It is recommended in the English application of Law 12C3 to weighted scores that the "sympathetic weighting" is used, so that a bias is built in towards the non-offenders. The AC has not explained their choice of weighting, but if they felt the two sequences were equally likely then they should really have weighted the scores thus:

$$\begin{aligned} &60\% \text{ of } 5\spadesuit=, \text{ NS } +400 \\ &+ 40\% \text{ of } 5\heartsuit^*-1, \text{ NS } +100 \end{aligned}$$

On the other hand, perhaps they thought the 5♥ bid slightly more likely than not, in which case their weighting was perfect.

Richard Hills' comments:

An impeccable ruling by the TD, but the AC crashed and burned while crossing a pons asinorum.

The two hypothetical logical alternative auctions constructed by the AC may be equally likely. But, the two hypothetical logical alternative auctions constructed by the AC are not equally legal. The AC has perpetrated a Reveley ruling. (Definition in the 2004 White Book, section 16.3)

The UI given to East by West's misexplanation means that East bidding 5♥ after North's 5♦ is demonstrably suggested over East passing after North's 5♦. Law 16 states that the hypothetical logical alternative auction concluding in 5♦ passed is therefore the only legal hypothetical logical alternative auction, so the AC should have left the TD's ruling unaltered.

I can find only one excuse for the AC. Perhaps the AC assumed that the cancellation of the MI from West to N/S necessarily included the cancellation of UI from West to East. Not so. The late chair of the WBF Laws Commission, Edgar Kaplan, had a useful metaphor to assist an AC to cross this particular pons asinorum. Kaplan said that N/S should be assumed to be reading a computer printout of the E/W partnership agreements. N/S are therefore entitled to know the true explanation of East's 3♣, but East is not entitled to avoid hearing West's UI.

Herman De Wael's comments:

A very nice example of how difficult bridge rulings can actually be. True, South has been misinformed. True, South would bid differently and North would bid game. True, East has shown his hand and should not be allowed to do so again. But also West has bid in this auction (surely 3♣ if natural is not forcing), so he would also bid "something" over the alternate 3♦. As for the weights, others might give other %, but who can pick the "right" values.

Ron Johnson's comments:

I agree with the director here. I think the committee is being far too generous to the offending side.

Frances Hinden's comments:

In AC's first proposed likely auction, wouldn't West give preference to 6♣ over the grand slam try of 5♥, making 5♥x-1 impossible? Does the failure to alert 3♣ make a 3♦ bid from the South hand less apparent? South could be virtually certain what the 3♣ bid was not natural from his own hand. Still, I canvassed a few people and there was a narrow majority for pass or double if 3♣ was natural but for 3♦ if it was alerted. Although initially I thought otherwise, the committee have this right.

Fearghal O'Boyle's comments:

First of all I would like to see East call the TD himself as Law 75 suggests but presumably it is too late for N/S to find their diamond fit even if the auction is re-opened.

The auctions suggested by the AC may indeed lead to contracts of 5♦ or 5♥. However there is no mention in the write up about the investigation about the possible use of UI by East in bidding 4♥. If 4♥ is not evident then 3NT-4 should be factored into the calculations at least for the offending side.

At least we all agree to adjust rather than let the table result stand.

Adam Wildavsky's comments:

This deal shows how 12C3 can lead to unnecessary appeals. The TD did a fine job, and I find it distasteful for the AC to have to go out of their way to give something back to the offenders.

Gordon Bower's comments:

No complaints with the director or the AC.

Laurie Kelso's comments:

A good decision and write-up, although 50% of 5♥X seems a little high.

Final summary by editor:

I wonder whether Adam is right about Law 12C3: my guess is that E/W would have appealed if Law 12C3 was not available. While there is a box on the form for 'Reason for the Appeal' it is often left blank, as here.

APPEAL No 7: Clubs?

Tournament Director:

Ian Spoons

Appeals Committee:

Brain Senior (Chairman) Jon Williams Matthew Hoskins

| | | | | | | | | | | | |
|---|---|----------|----------|--|----------|--|----------|--|----------|--|-----------------------------------|
| MP pairs Board no 24 Dealer West None vulnerable | ♠ J84 ♥ 9432 ♦ Q87653 ♣ - | | | | | | | | | | |
| ♠ Q3 ♥ T85 ♦ KT9 ♣ AJT94 | <table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table> | | <i>N</i> | | <i>W</i> | | <i>E</i> | | <i>S</i> | | ♠ K76 ♥ AKQJ6 ♦ J2 ♣ K82 |
| | <i>N</i> | | | | | | | | | | |
| <i>W</i> | | <i>E</i> | | | | | | | | | |
| | <i>S</i> | | | | | | | | | | |
| | ♠ AT952 ♥ 7 ♦ A4 ♣ Q7653 | | | | | | | | | | |

Basic systems:

North-South play Acol

East-West play Acol

| <i>WEST</i> | <i>NORTH</i> | <i>EAST</i> | <i>SOUTH</i> |
|-------------|--------------|-------------|--------------|
| Pass | Pass | 1♥ | 1♠ |
| 2♣ | Pass | 2♠(A) | Pass |
| 3♥ | Pass | 4♥ | Pass |
| Pass | Pass | | |

Result at table:

4♥ -2 by East, NS +100, lead ♣5

Director first called:

At end of hand

Director's statement of facts:

Two board rounds. On the first board, East had cue bid the opponents' suit to show support for West's last bid suit. Before selecting his opening lead, South asked the meaning of 2♠. N/S say the answer was "Possibly looking for a ♠ stop for NT"; E/W say it was "a forward going bid, asking for further information; may be asking for a ♠ stop". North asked "Doesn't it agree clubs?"; West: "No, we don't play that in this situation". South then selected a club lead.

Director's ruling:

Table result stands

Details of ruling:

North should delay his question until after the opening lead is selected. TD rules that in the context of the pair of hands it was the vagueness of the reply to South's question, whether real or perceived, rather than North's intervention which pointed sufficiently strongly to a club lead to allow the result to stand. Orange book 3.4.1, Laws 20B, 41B.

Note by editor:

Orange book 3.4.1 says:

The right to ask questions is not a licence to do so without consequence: if you ask about an unalerted call and then pass, you have shown an interest which may influence your partner. Asking about an alerted call and then bidding reduces this possibility, but in either case if your partner acts in a way that suggests he has taken advantage of your question, then unauthorised information may be deemed to have been given. Similarly, if you ask a question and then pass, thus ending the auction, your partner's choice of lead, from the logical alternatives available, must not be one that could have been suggested by your question. (Law 16A, 73F1)

Note: If, at your turn to call, you do not need to have a call explained, it is in your interest to defer all questions until either you are about to make the opening lead or your partner's lead is face-down on the table.

Appeal lodged by:

East-West

Basis of appeal:

Other leads are logical alternatives.

Director's comments:

There was more general chat than recorded above; any lead-directing effect of the question was blunted by this context. N/S were bemused by the whole affair.

Appeals Committee decision:

Score assigned for both sides (Law 12C3):

- 40% of 4♥ -2 by East, NS +100
- + 20% of 4♥ -1 by East, NS +50
- + 20% of 4♥ making by East, NS -420
- + 20% of 4♥ +1 by East, NS -450

Deposit returned

Appeals Committee's comments:

We felt that a club lead is not automatic and, while South probably did not take any conscious advantage of the question, there was a clear infraction so we must adjust the result. A club lead is always down two, leading either ace may lead to 9, 10 or 11 tricks. We are just guessing at the percentages – it's too difficult with so many different possibilities.

David Stevenson's comments:

Since North may not ask questions until South has led face down it seems most unfortunate that he asked about a club fit with his actual hand. It seems surprising the TD did not think this provided sufficient UI to adjust.

When giving a weighted score in a UI case, the actual call or play disallowed may not be included: to include it is called a "Reveley ruling", from a case which first brought this to the L&EC's notice. This is to make sure that people who use UI from partner do not gain thereby. Since in this case the AC decided that a club lead was suggested by the UI their weightings should only reflect non-club leads: I am afraid I do not think this is the case.

Richard Hills' comments:

Ground rules require me to be polite about the TD. So I will merely paraphrase Sir Humphrey Appleby and state, "The TD gave a courageous reason for his ruling, by listing Laws 20B and 41B, but omitting Law 16."

The AC ruling was an improvement on the TD ruling. But the AC perpetrated another Reveley ruling by including a UI-indicated lead in its weighted average of logical alternative leads.

Herman De Wael's comments:

The Director gave a "table feel" ruling. The AC gave a ruling based on Law. I have more sympathy for the director. He was there and apparently defended his decision in the Committee. Yes, North should keep his questions until after the lead, but sometimes a table discussion is joined without malicious intent. After all, a pair play one system on the first board and another one on the second. Surely one is entitled to know why, and to restart the questions two minutes later is not in the spirit of a two-board round with time pressure.

Eric Landau's comments:

I have no quarrel with the committee's findings, but I don't believe that their determination of the adjusted result was correct. Once they decide that South's club lead was an infraction, their job is to determine what might have occurred had South not led a club. If there are multiple possibilities, they may assign probabilities and compute a weighted result, as they did in this case. But this doesn't change the nature of their determination; the possibilities to be considered are those that might have occurred had South not led a club, and I see no real possibility of 4♥ being set two tricks had South not led a club (I doubt that the committee was considering the ♦4). 1/3 each of 4♥ down one, 4♥ making four and 4♥ making five would have been a legitimate adjustment.

Con Holzscherer's comments:

North and South have both committed an infraction and this resulted in a good table result for N/S. Even if N/S are to be considered 'innocent' because they did not have sufficient knowledge of the rules of the game to know that their behavior was incorrect, they should not receive a sympathetic weighting. I think the weighting of the AC was friendly for N/S instead of for E/W!

By the way, the fact that N/S were bemused instead of ashamed when the incorrectness of their behavior was explained to them, suggests to me that they were/are not innocent at all.

Ron Johnson's comments:

I can't agree with the committee. If this is a UI situation (and I think it is), South may not select the lead suggested by the UI. I'd rule +420. Yes, I can see some chance that East will get greedy and blunder into down 1. And he might end up with 11 tricks. I make both low enough probability that I wouldn't advocate using 12C3 here.

Frances Hinden's comments:

The table result should stand. The TD was there and he thought there was no lead-directing implication to the conversation – why should we disbelieve him? If the AC wish to punish an infraction, they should issue a PP not change the result on the board.

Fearghal O'Boyle's comments:

"Doesn't it agree Clubs?" is a rhetorical question implying North is short in Clubs. Of course it was not meant that way but nonetheless the UI is there.

The AC did a good job at working out the various defences.

Adam Wildavsky's comments:

The TD ought to have adjusted the score after North's outrageous question at the exact moment when silence is most important.

As for the AC, I think they missed the boat. South had UI which demonstrably suggested a club lead. The lead of an ace was also demonstrably suggested, since it could be followed effectively by a club. A trump lead was a logical alternative, so the club lead was illegal, and the adjusted score ought to have been awarded based on the likely results after a trump lead. In that case the only possibilities are 4♥ making four and 4♥ making five. Declarer had every reason to get the clubs right, so I'd adjust the score for both sides to EW +450.

Gordon Bower's comments:

I concur with the table director's ruling. The statement of facts was that there was considerable general chat, during which North prematurely asked a follow-up question about the already-queried 2♠. The AC's comment, "there was a clear infraction so we must adjust," reveals a misreading of the law. North clearly infringed correct procedure but this carries no automatic penalty: L20 says "L16 may apply", not "must adjust." It is not so clear that the question carries a "demonstrable" lead-directing effect, especially as the reply was that it did not promise a club fit and did not pinpoint that North was short in clubs rather than East.

Laurie Kelso's comments:

Given that the AC has decided that the club lead is an infraction (Law 16A), they should not be including it as part of their weighted assigned score.

EBU Laws & Ethics Committee comments:

It appears that two down is only possible on a ♣ lead. Since this is the disallowed action, it should not feature in the weighting. If two down could have been achieved on some other lead, then it would have been permissible to include it in the weighting, but the Appeals Committee does appear to have allowed the infraction 40% of the time, which is inappropriate.

Final summary by editor:

As noted by several commentators this seems to be a classic case of a 'Reveley ruling'.

APPEAL No 8: Majority decision

Tournament Director:

Roland Bolton

Appeals Committee:

Paul Hackett (Chairman) Liz McGowan Keith Stanley

| | | |
|---------------|----------|--------|
| MP pairs | ♠ 98 | |
| Board no 3 | ♥ JT | |
| Dealer South | ♦ AKQ953 | |
| EW vulnerable | ♣ 974 | |
| ♠ 754 | <i>N</i> | ♠ AT63 |
| ♥ AQ65 | <i>W</i> | ♥ K832 |
| ♦ 84 | <i>E</i> | ♦ T |
| ♣ KQJ5 | <i>S</i> | ♣ AT32 |
| | ♠ KQJ2 | |
| | ♥ 974 | |
| | ♦ J762 | |
| | ♣ 86 | |

| WEST | NORTH | EAST | SOUTH |
|------|---------|-------|-------|
| | | | Pass |
| 1NT | Pass | 2♣(A) | Pass |
| 2♥ | 3♦ | 3♥ | 4♦ |
| 4♥ | Pass(H) | Pass | 5♦ |
| Pass | Pass | Dbl | Pass |
| Pass | Pass | | |

Result at table:

5♦ doubled -3 by North, NS -500

Director first called:

By E/W after 5♦ bid

Director's statement of facts:

TD asked meaning of possible Pass 1NT 3♦ sequence. South said she had no agreement or understanding of 3♦ in that sequence.

TD asked why she had bid 5♦ over 4♥. She replied that she had been told partner was short in hearts, and KQJx in spades may not be defensive tricks, although West had bid Stayman, but not necessarily having a spade suit, and 5♦ doubled could be a good sacrifice against 4♥ by E/W

Director's ruling:

Score assigned for both sides:

4♥ making by West, NS -620

Details of ruling:

Unauthorised information. Laws 73C2, 73D1, 73F1, Law 16A2. Adjusted score. Law 12C2.

Appeal lodged by:

North-South

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

Upheld by a 2-1 majority

David Stevenson's comments:

It would be useful to know what the dissenting voice thought. Since the hesitation was agreed there was UI, so presumably either the dissent was that there was no logical alternative of pass to bidding 5♦, or that the hesitation did not suggest bidding on.

It is difficult to believe that 5♦ is considered near-automatic. Perhaps the dissenter thought North might have been considering doubling? To me it seems a completely clear-cut ruling and decision, so much so that the deposit might have been in danger.

Richard Hills' comments:

This is an obvious case with an obvious ruling by the TD, and the ruling obviously upheld by unanimously by the AC. What? Only a majority verdict?

The EBU correctly conducts regular education courses for its TDs. It would be useful if the EBU also conducted regular education courses for its panel of potential AC members, with particular emphasis on what the White Book says about Law 16.

Herman De Wael's comments:

Straightforward case, with just one decision to make: would a majority still bid 5♦? Even the Committee is divided on that one.

Con Holzscherer's comments:

In a competitive bidding situation at the four level I am inclined to define 'normal tempo' as taking 5 to 10 seconds to bid. Therefore I want to know the duration of North's hesitation over 4 hearts. If that did not last more than 10 seconds, I would rule 'no UI'. Otherwise, I would still tend to side with the minority of the AC.

Ron Johnson's comments:

I'm really surprised that there was a dissenting view. This seemed very much open and shut to me. I'd have been interested in hearing the minority view. Perhaps I missed something.

Fearghal O'Boyle's comments:

While I don't like the 'shoot it if it hesitates' school, I still expect players to be more careful when choosing winning actions after their partner hesitates: Law 73C.

This is another case where South's peers should be polled to see what they would do in this position without the hesitation from North. Personally it looks like E/W have minimum game values and are by no means certain to make game making the decision not to sacrifice, a logical alternative for South. I agree with the TD and the AC majority to adjust to 4♥ making by West.

Adam Wildavsky's comments:

Good work by the TD and 2/3 of the AC. The appeal had no merit that I can see. To rule otherwise would be to encourage the kind of game where North hesitates to show a hand suitable for a save, but only if partner's hand is suitable as well.

Gordon Bower's comments:

No complaints.

Laurie Kelso's comments:

Difficult to allow 5♦ to stand. It would have been interesting to hear the minority position (which is presumably why the deposit was returned).

Final summary by editor:

If players were more aware of Law 73C perhaps there would be fewer cases like this one. South would have to be a very poor player to fail to realise what the 5♦ bid looks like, after being prepared to play in 4♦ the previous round, and thus its legality when partner hesitates.

APPEAL No 9: My ace is a king really

Tournament Director:

Mary Hart

Appeals Committee:

Paul Hackett (Chairman) Liz McGowan Keith Stanley

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|--|---|----------|----------|--|----------|--|----------|--|----------|--|-----------------------------------|
| MP pairs Board no 21 Dealer North NS vulnerable | ♠ AJ743 ♥ AK986 ♦ 9 ♣ 97 | | | | | | | | | | |
| ♠ 986 ♥ 2 ♦ KJT2 ♣ A8432 | <table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table> | | <i>N</i> | | <i>W</i> | | <i>E</i> | | <i>S</i> | | ♠ KT2 ♥ 43 ♦ 87654 ♣ QJ5 |
| | <i>N</i> | | | | | | | | | | |
| <i>W</i> | | <i>E</i> | | | | | | | | | |
| | <i>S</i> | | | | | | | | | | |
| | ♠ Q5 ♥ QJT75 ♦ AQ3 ♣ KT6 | | | | | | | | | | |

Basic systems:

North-South play Acol with Multi

East-West play Benji Acol

| WEST | NORTH | EAST | SOUTH |
|------|-----------|------|-----------|
| | 1 ♠ | Pass | 2 ♥(A) |
| Pass | 4 ♦(A)(1) | Pass | 5 ♣(A)(2) |
| Pass | 5 ♦(A)(3) | Pass | 5 ♥ |
| Pass | Pass | Pass | |

- (1) Explained as splinter bid
- (2) Explained as first round control
- (3) Explained as void last trail

Result at table:

5 ♥ +1 by South, NS +680, lead ♠8

Director first called:

At end of hand by North

Director's statement of facts:

North explained the auction and said that at the end of the auction questions were asked about the alerts. West then said that had he known that 5♣ could be second round control he would have put the contract one down. On clarification South was not sure he was showing first or second round control. There was nothing relevant on their convention card and as South had second round control the TD presumed mistaken explanation because of the absence of evidence to the contrary. On further clarification South told the TD that his cue bid had been tactical and this had not been stated at the beginning.

Director's ruling:

Score assigned for both sides:

5♥ -1 by South, NS -100

Details of ruling:

Law 75 footnote

Note by editor:

“Void last trail” seems to make no sense, presumably void, trial, or last train. Last train means that where there is only possible cue bid before going past the agreed trump suit a bid of that suit is a generalised slam try rather than showing something in that suit. However, the ruling is not affected by meaning of 5♦.

Appeal lodged by:

North-South

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

On the basis of an incomplete convention card by N/S we uphold the TD's decision.

David Stevenson's comments:

What did the AC expect to find on the convention card? When in with the ♠K the club return looks normal whatever the meaning of South's 5♣ bid, so it is perhaps surprising that TD and AC gave E/W the benefit of beating 5♥ 100% of the time.

Richard Hills' comments:

“On clarification South was not sure he was showing first or second round control. There was nothing relevant on their convention card, and as South had second round control, the TD presumed mistaken explanation because of the absence of evidence to the contrary. On further clarification South told the TD that his cue bid had been tactical, and this had not been stated at the beginning.”

Given the above statement of facts, I support the TD's ruling, but I believe that the ruling did not go far enough. If N/S claim to play sophisticated cue-bidding methods, they should be sophisticated enough to obey the EBU regulation that requires convention cards to be accurately completed. So, as TD, I would fine N/S a Procedural Penalty for their infraction of Law 40E1.

I also believe that South may be, to quote Monty Python's Life of Brian, “making it up as he goes along”. First South states that they are unsure of the N/S partnership agreement. Then South changes to a self-serving statement that North did not misexplain, but rather that South was bidding tactically. Therefore, as TD, I would refer South's possible deliberate infraction of Law 75D2 (and consequently Law 72B2) to the relevant Law & Ethics Committee for further investigation, pursuant to the authority granted to a TD under Law 81C9.

Herman De Wael's comments:

The fact that South did not correct the information that his first round control was a king seems to support his later statement that it was a tactical bid. But maybe he was just hiding his error. I would need to know a lot more about this case (when was the "first round control" mentioned - was there UI to South at that time?; How did the play go? At what moment was East in and why did he not switch to clubs at that time?) before I can form an opinion.

Ron Johnson's comments:

I don't believe for a second that North/South actually had any kind of agreement to cue-bid in the Italian style. My experience tells me that people with incomplete convention cards don't play that way. (And seriously, assuming their agreement was that South was in fact just showing the Ace, what would you expect to find on the card? Only unusual cue bidding styles would go there so the incomplete convention card is not evidence of anything here) Nor do I believe that the 5♣ call was tactical. He just didn't want to make a passable call and had no acceptable try. I've cue-bid kings before in similar situations. So have lots of people.

I would rule result stands. A procedural penalty for an incomplete convention card may well be in order. Frankly, I'd be happy if it was automatic.

Frances Hinden's comments:

I doubt this is the only NS pair in the country who play cues as “theoretically first round control but may sometimes be second” which, from the later comments, seems the best explanation. If they had been told this, how would EW have defended? At matchpoints East has a guess at trick 2. The non-club lead is an indication partner has the ♣A which East ignored. Using 12C3 with a skew to the non-offending side I might rule 65% 5♥-1 and 35% 5♥+1.

Fearghal O'Boyle's comments:

If South really had made a tactical cue bid of 5♣ he would have told the TD this at the start. So the TD did well to see through this statement. It seems that when South bid 5♣ he thought the agreement was that he was showing first or second round control of Clubs.

North explained the 5♣ cue bid as a first round control and if South thought North was wrong he should have corrected the mistaken explanation before the opening lead was made. In any event the TD and the AC are correct in ruling that Law 75 assumes mistaken explanation and the adjustment to 5♥-1 is in order.

The other important question to ask of South's peers, is whether the sign-off in 5♥ is justified on bridge merits alone or whether it is influenced by the UI from North's explanation of the 5♣ bid. If the UI suggests the sign-off then adjustment to 6♥ going off is warranted.

Adam Wildavsky's comments:

As Kaplan put it, agreements are understandings with one's partner, not undertakings to the opponents. That said, I'd like to know how the play went before commenting on the validity of the rulings. It's not clear to me how the misexplanation, if that's what it was, led to damage.

Gordon Bower's comments:

I agree, as the AC did, on the basis of the incomplete convention card. Note that if NS did have a clear agreement to cuebid first-round controls, 5♣ would be a reasonable least-of-evils deviation and I'd be letting the table score stand.

Laurie Kelso's comments:

This decision appears to be straight-forward. The oblique reference to the convention card probably relates to the lack of documentary evidence regarding the N/S cueing style/agreements.

Final summary by editor:

Sorry, Adam, your quote is from Terence Reese, not Edgar Kaplan!

I wonder exactly what the agreements were. Frances suggests that a lot of people play “theoretically first round control but may sometimes be second” which is true enough – I do myself – but I do not describe them as first-round controls, and I consider it misinformation to do so.

APPEAL No 10: You can't pass Stayman!

Tournament Director:

Roland Bolton

Appeals Committee:

Brian Senior (Chairman) Eddie Lucioni Roy Dempster

| | | | | | | | | | | | |
|---|---|----------|----------|--|----------|--|----------|--|----------|--|-----------------------------------|
| MP pairs Board no 22 Dealer East EW vulnerable | ♠ QJT76 ♥ A987 ♦ Q ♣ Q54 | | | | | | | | | | |
| ♠ A84 ♥ JT2 ♦ J32 ♣ A862 | <table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table> | | <i>N</i> | | <i>W</i> | | <i>E</i> | | <i>S</i> | | ♠ 2 ♥ 43 ♦ AK975 ♣ KJ973 |
| | <i>N</i> | | | | | | | | | | |
| <i>W</i> | | <i>E</i> | | | | | | | | | |
| | <i>S</i> | | | | | | | | | | |
| | ♠ K953 ♥ KQ65 ♦ T864 ♣ T | | | | | | | | | | |

| WEST | NORTH | EAST | SOUTH |
|------|-------|---------|---------|
| | | 2NT(A) | Pass(1) |
| 3♣ | Pass | Pass(2) | Dbl |
| 4♣ | 4♠ | 5♣ | Pass |
| Pass | 5♥ | Pass | 5♠ |
| Dbl | Pass | Pass | Pass |

- (1) South asked the meaning of the 2NT bid
- (2) North showed surprise at pass of 3♣ and remarked that she had not seen an alert for 2NT

Result at table:

5♠ doubled -1 by North, NS -100

Director first called:

After East's pass of West's 3♣

Director's statement of facts:

Instructed auction to continue. TD was not recalled by E/W but returned on own initiative to record entire bidding.

Director's ruling:

Score assigned for both sides:

3♣ +1 by West, NS –130

Details of ruling:

Unauthorised information to her partner from North's remarks. Law 16A2. Assigned score after cancelling South's double. Law 12C2.

Appeal lodged by:

North-South

Appeals Committee decision:

Table score re-instated

Deposit returned

Appeals Committee's comments:

After listening to the four players' comments we felt that there was no infraction – that North genuinely had missed the alert and explanation and shown surprise when 'Stayman' was passed out. The conversation followed on from that and did not indicate to South that her partner had values.

David Stevenson's comments:

A reasonable ruling and decision. It is just a view on whether the comments showed anything about North's hand and the TD and AC saw it differently.

Richard Hills' comments:

An impeccable ruling by the TD, but the AC crashed and burned while crossing a pons asinorum.

The question is not whether North had an actual innocuous reason for her extraneous remark – the question is rather whether South had a demonstrably suggested reason for assuming that the extraneous remark indicated that North held good values. The fact that South's assumption is not congruent with North's reason is Lawfully irrelevant.

Herman De Wael's comments:

North's remark is unauthorized, of course, but according to the AC, this does not convey to South that there are values. I wonder why not? There is always the possibility that North has passed simply because of an expected 20 points behind him. So the chances of finding North with surplus values are great? I don't believe South's double is automatic, so I'd be inclined to stick with the Director's initial ruling.

Con Holzscherer's comments:

The data supplied does not really support the AC decision, but I was not present during the interrogation of the players...

Ron Johnson's comments:

I agree with the committee's ruling. If there is an offender here, it's East -- in not making sure that North was aware of the alert. I wouldn't press the matter too hard; we don't want people having to sign off on alerts after all.

Frances Hinden's comments:

The AC have this exactly right. There seems to be tendency that saying anything during the auction automatically results in the score being adjusted, even when there is either no UI or it doesn't suggest any particular action. The remedy is a warning or a PP, not an assigned score.

Fearghal O'Boyle's comments:

I'm with the TD on this one i.e. adjust to 3♣+1. Firstly he did well to return to the table and check that nothing untoward had happened. Secondly he did well to question South's re-opening double.

Maybe I'm alone on this one too but I'm sure if I polled some of South's peers I'd find a few who would pass 3♣. I also think North's comment could suggest he might have acted if he had been aware of the alerted opening bid.

Maybe if I heard from North herself I might be as happy as the AC were to believe that her comments indicated surprise and nothing else? But I think I would need some convincing.

Adam Wildavsky's comments:

The AC went wrong here. We rule according to North's illegal actions, not her motivation for them. Otherwise any adjusted score would be an accusation of ill intention -- such is not the case.

Gordon Bower's comments:

Looks like no infraction to me.

Laurie Kelso's comments:

It seems strange that North missed:

- The original alert
- South's immediate inquiry and
- East's explanation

The committee appears to have decided that no unauthorised information was present - I disagree!

Final summary by editor:

I am curious why the TD returned to the table. Only Fearghal comments and he thinks it is a good thing. But I find it strange.

APPEAL No 11: Low lead from a doubleton

Tournament Director:

Mike Amos

Appeals Committee:

Bill Hirst (Chairman) Artur Malinoski Matthew Hoskins

| | | | | | | | | | | | |
|---|---|----------|----------|--|----------|--|----------|--|----------|--|-----------------------------------|
| Pivot teams Board no 20 Dealer West All vulnerable | ♠ J7642 ♥ Q9852 ♦ K ♣ 82 | | | | | | | | | | |
| ♠ AK853 ♥ AK64 ♦ - ♣ 7643 | <table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table> | | <i>N</i> | | <i>W</i> | | <i>E</i> | | <i>S</i> | | ♠ QT9 ♥ J7 ♦ AJ643 ♣ AKJ |
| | <i>N</i> | | | | | | | | | | |
| <i>W</i> | | <i>E</i> | | | | | | | | | |
| | <i>S</i> | | | | | | | | | | |
| | ♠ - ♥ T3 ♦ QT98752 ♣ QT95 | | | | | | | | | | |

Result at table:

4♠ -1 by West, NS +100, lead ♣2

Director first called:

At end of hand by West

Director's statement of facts:

West had declared 4♠. He claimed that he had been damaged by misinformation about N/S's leading methods. When the ♣2 was led he asked South and had been told "Attitude 2nd and 4th". It had not occurred to him that this meant small from a doubleton.

Play:

| | | | |
|----|--------------------|----|--------------------|
| T1 | Club won by ace | T2 | Trump won by knave |
| T3 | Trump won in dummy | T4 | Top heart |
| T5 | Top heart | T6 | Heart ruff |
| T7 | Diamond ace | T8 | |

At this point declarer could have made the contract by cashing his ♣ winner, but he ruffed a diamond and North discarded a club and had to go one down.

Director's ruling:

Score assigned for both sides (Law 12C3):

67% of 4♠ -1 by West, NS +100

+ 33% of 4♠ making by West, NS -620

Details of ruling:

TD ruled that there was misinformation, South's intentions were good but to an English player 2nd and 4th does not mean small from a doubleton but xrxx and Hxxx. The WBF convention card used by N/S was not allowed in this tournament and did not help. Laws 40C and 40E1.

Appeal lodged by:

North-South

Note by editor:

The form says that East-West appealed but this seems unlikely.

Basis of appeal:

N/S think West misplayed the hand and was not damaged.

Director's comments:

Auction not shown in view of the fact that all the information was available from the play.

West is not entitled to full redress here. North is known to be 5♠s + 5♥s + 1♣ + 1♦ so cannot have three clubs. But West's play is not wild and gambling but rather careless. For this reason the TD believes that the correct explanation might have alerted West to the distribution.

West had assumed North had 3 or 4 clubs and so it was in his mind not essential to cash the club at this point.

The effect of the adjustment was to reduce a 12 imp gain for N/S to 8 imps.

Appeals Committee decision:

Table score re-instated

Deposit returned

Appeals Committee's comments:

In view of the fact that all the information was available from the play it was considered that, notwithstanding the difficulty in interpreting the card, declarer has misplayed the hand and consequently the contract should be one off.

David Stevenson's comments:

How far does a player need to protect himself? If he would not have taken any action if informed correctly is he not damaged when he goes wrong after being misinformed, even if he has misplayed the hand?

Richard Hills' comments:

An impeccable ruling by the TD, but the AC crashed and burned while crossing a pons asinorum.

The question is not whether a careless declarer misplayed the deal at the table. The question, rather, is whether a careless declarer would always misplay the deal after receiving a correct explanation of the opening lead.

On a side-note, this is where the EBU adoption of Law 12C3 (allowing weighted scores) gains over the ACBL reliance on Law 12C2 only. If this had been an ACBL ruling, the TD would possibly have been forced to give an unrealistic split score of E/W -100 and N/S -620.

Herman De Wael's comments:

I think the Director got this one right. From the misinformation, West thought North had 3 clubs. The fact that he can also tell North to have 11 other cards is, as the Director correctly says, careless but not wild or gambling. Ergo, West has right to redress, even if not a full one. With a correct information, West might start thinking otherwise, might count the cards, and might find the correct line. The Director weighs this at 33%, which seems about right to me after so many "mights". The AC failed in their level of sympathy which is due to a non-offending side.

Eric Landau's comments:

Once again, we see redress being denied to a non-offending side because of ordinary bad play (compare with appeal #1). I agree with the Director's finding that "West's play is not wild and gambling but rather careless"; I'd have been even more generous to the non-offenders, but the Director's finding that 4♠ would have gone down 67% of the time had correct information been given is a legitimate one. The committee's decision was not. The basis of the appeal, "N-S think West misplayed the hand", has no merit, and the appeal should have been rejected out of hand. Instead the committee agreed with it, stating that "declarer has misplayed the hand and consequently...". Such reasoning has no justification in the Law.

Ron Johnson's comments:

I'm of two minds here. Yes, declarer could have counted out the hand, but when you "know" that somebody has shown at least 3, it's fairly normal not to bother. It really bothers me that North/South appear to be gaining from poor disclosure of their methods and that the committee seems to be OK with this.

I'd rule East/West +620. There's no requirement to play perfectly to obtain redress and I have no doubt that East/West were damaged by the infraction.

Frances Hinden's comments:

Declarer played the hand poorly (normal play leads to 11 tricks). On the line taken, at trick 8 that the only chance is to hope the lead was from a doubleton. So one might argue the table result should stand, and this is how the AC reasoned. However, I sympathise with West. He thought from the lead that North "had 3 or 4 clubs". That gives North 14+ cards, but it does show that he had thought about the implications of the lead. West may not be an expert, but I believe he is more likely to make 10 tricks with correct information than without it, so I agree with the basis of the TD's analysis. The exact percentages are then a function of his assessment of West's likely line with correct information.

I can't resist a comment on convention cards here: N/S were using a WBF convention card in the Brighton pivot teams, a "holiday" event. The WBF card can be a major shock if you aren't used to it. I wish the EBU would make it clearer in the leaflets handed out with congress details that only standard CCs are permitted. We don't know if in this case the N/S were a visiting foreign pair (who could have been asked to complete an English-style card on entering) or a native partnership who should be told off more emphatically as they should know better.

Jeffrey Allerton's comments:

Was there MI at all? The explanation was literally correct; it is not South's fault (particularly if he is not aware of the usual U.K. style) if other people misinterpret this. With 5 trumps, North may well falsecard anyway. I think the table result should stand.

Fearghal O'Boyle's comments:

If this N/S pair lead low from a doubleton then E/W have been mis-informed and E/W are due an adjustment as per the original TD ruling.

However, if N/S do not lead low from a doubleton, then North is just having some fun and E/W are not entitled to any adjustment. My first impression is that N/S do not have the agreement to lead low from a doubleton. They lead second highest from three or four small but top from a doubleton. Table score stands.

Adam Wildavsky's comments:

Fair enough.

Gordon Bower's comments:

I am not in a position to comment as to what "second and fourth" means to the typical English player. I can only observe that it is common to give a short one-phrase reply like "fourth best" or "standard" or "zero or two higher" to an opening lead inquiry, without enumerating all possible holdings for the lead. This case boils to whether lack of a convention card (apparently the WBF card wasn't completed, if it "did not help" West figure out what NS lead from xx?) is a serious enough infraction to warrant adjustment.

Laurie Kelso's comments:

It would have been helpful to have the auction recorded. I don't agree that declarer mis-played the hand. Why can't North hold a 5-5-2-1 shape comprising the doubleton KQ of diamonds? Even Kx of diamonds is quite conceivable.

The Director's original weighting is somewhat unsympathetic, while the AC just got it wrong.

EBU Laws & Ethics Committee comments:

By English standards, whereby redress is only denied for wild and gambling actions with an element of a double shot, it might be considered somewhat harsh to have denied West redress.

The TD should have recorded the auction, as this might have assisted in evaluating the state of West's knowledge and his actions in the play.

Final summary by editor:

Frances comments on convention cards and I find it very strange that a number of English players use illegal convention cards. The EBL/WBF convention cards are only permitted in three events in England, the Spring Foursomes, the EBU Trials for the national team, and the EBL/EBU Seniors event at Brighton. However, a number of players do use them in other competitions, and very few players ever bother to call the TD to complain. In this case the pair concerned were a foreign pair, but from their apparent age could not have been playing in the EBL/EBU Seniors event. I do believe that players playing in foreign countries have a duty of care to make sure they are following local regulations, especially in matters that are often different between countries such as alerting, what conventions are permitted, Stop card and Convention Card regulations.

As for the term 'second and fourth' the most common leading system in England is fourth highest from four plus cards headed by an honour, second highest from three plus cards not headed by an honour. This is printed on EBU convention cards as the default, and is popularly referred to as 'Second and Fourth'.

If you agree with his analysis, Eric's comment is totally justified. English interpretations do not lead to players being denied redress for inferior play.

APPEAL No 12: The dangers of asking

Tournament Director:

Ian Spoons

Appeals Committee:

Frances Hinden (Chairman) Matthew Hoskins Jon Williams

| | | |
|--|---|-----------------------------------|
| MP pairs Board no 25 Dealer North EW vulnerable | ♠ 86 ♥ QJ ♦ 98543 ♣ Q753 | |
| ♠ AKQJ9743 ♥ 5 ♦ - ♣ KT62 | <i>N</i> <i>W</i> <i>E</i> <i>S</i> | ♠ 2 ♥ K98732 ♦ Q72 ♣ 984 |
| | ♠ T5 ♥ AT64 ♦ AKJT6 ♣ AJ | |

Basic systems:

North-South play Acol

| <i>WEST</i> | <i>NORTH</i> | <i>EAST</i> | <i>SOUTH</i> |
|-------------|--------------|-------------|--------------|
| | Pass | 2♦(A)(1) | Dbl(2) |
| 2NT(A)(3) | Pass | 3♥ | Pass |
| 4♠ | Pass | Pass | Dbl |
| Pass | Pass | Pass | |

(1) Multi

(2) Shows 16+ HCP

(3) 2NT = 'Positive bid'

Result at table:

4♠ doubled -1 by West, NS +200

Director first called:

At end of auction

Director's statement of facts:

Before passing 4♠ North had requested an explanation of the auction. When South subsequently doubled, West called the TD to reserve her rights.

Director's ruling:

Score assigned for both sides:

4♠ –1 by West, NS +100

Details of ruling:

South has unauthorised information. Law 73B1. South must avoid taking advantage of this. Law 73C. Damage has occurred so score adjusted. Law 16A2.

Appeal lodged by:

North-South

Basis of appeal:

Double is automatic.

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

Pass is a logical alternative to double, which was suggested by the questions.

We feel that this is very close. We fully accept that without any unauthorised information South would have doubled; unfortunately the Laws do not permit this when pass – by a hand that has already shown 16+ HCP – is possible.

Please ask E/W to fill the main part of their convention cards properly, not just the back. One card showed 2♦ as Benji and 2♥/♠ as weak.

David Stevenson's comments:

In many jurisdictions players often ask the meaning of the auction whatever the hand, but in England players generally ask after the auction is over. Thus North has indicated that he may have interest in the hand and South must do his utmost to avoid taking any advantage. Unfortunately South has failed to do this.

Richard Hills' comments:

I am almost in full agreement with the AC. But I disagree with the AC stating, "We feel that this is very close," for two reasons.

Firstly, the decision was not close. As the AC then points out, the fact that Double is a logical alternative that an unconstrained South would have normally selected is irrelevant when a UI-constrained South has to obey Law 73C and Law 16.

Secondly, the AC stating "very close" may have given encouragement to South to make a similar future infraction. South may have been left with a deluded belief that next time, in similar circumstances, South might then get a luckier TD decision.

There is a popular misconception, even amongst people who should know better (such as the Chief Director of New Zealand), that the correct procedure after getting UI from pard is to ignore the UI, then make the call that you would have normally selected. This AC should, in my opinion, have spent less time comforting South with "very close", and spent more time dispelling South's popular misconception.

Herman De Wael's comments:

When the AC themselves tell us that they feel the ruling is close, there is no need to say much more. Dura Lex sed Lex.

Eric Landau's comments:

What unauthorized information? North's request for an explanation doesn't suggest any reluctance to defend 4♠ undoubled; his hand warrants no such suggestion, and the committee "fully accept[ed] that without any unauthorized information South would have doubled". Indeed, had North made it clear that he had no interest whatsoever in the E-W auction, South not doubled, and 4♠ made, that would have given rise to a stronger case for imposing a double on South than we have here for disallowing it.

Ron Johnson's comments:

I don't see this one as close and disagree with the ruling. Old ground. I don't believe for a second that North's request for an explanation shows any values. And yes, anticipating David's comments here, I'd be precisely as likely to ask holding nothing. Yes, there are potential UI situations in asking questions. Appeal number 7 shows that.

Frances Hinden's comments:

The EBU makes it clear that asking then passing when the auction is still potentially live is likely to give UI to partner who must avoid taking advantage of it. South passed over 3♥ but doubled 4♠ – even though the hand has potentially 2 more defensive tricks against hearts than against spades. The AC's discussion was purely whether pass was a LA for a player of South's standard.

Fearghal O'Boyle's comments:

I agree that we must do something to train players to be more careful about asking questions during the auction. I admire the EBU solution - If you don't ask you might get a bad score and if you do ask you might get a bad score. That being the case the TD and the AC have done their job.

We need more debate on this issue and my own personal approach (rightly or wrongly) is to follow Kaplan's 25% rule and adjust only if a less than 25% action has been chosen. In this particular case, I think more than 25% of South's peers would double 4♠ so I would not be adjusting. Table result stands.

Adam Wildavsky's comments:

OK.

Gordon Bower's comments:

This should be titled "the dangers of EBU rules about asking." North knows his side needs to either double or bid 5 of a minor but doesn't know which, so he has a legitimate reason to ask... without any UI South would have doubled... and instead they are fixed!

I understand why the AC felt it had to roll back the double (and, as they said, even under EBU rules it is very close) but I don't understand why the EBU backs its players into this corner with its "only ask if you need to know" rule. In North America, North's question would not raise so many eyebrows and its doubtful the director would even be called.

Laurie Kelso's comments:

Both the Director and the AC thought 'Pass' was a logical alternative. Now an adjustment follows.

Final summary by editor:

Again the question of EBU advice about asking questions is raised. Whether it is right or wrong, it is based on what happened in England before the advice was given, and is not backing its players into a corner, but explaining to them the dangers. At one time in England there was quite a sizeable number of players to whom a club lead was automatic if a player asked what Stayman meant, and who never led a club if he did not. The L&EC of those days did an excellent job of reducing a very common illegal practice to manageable proportions.

APPEAL No 13: Weak? Strong?

Tournament Director:

Robin Barker

Appeals Committee:

Tim Rees (Chairman) Malcolm Harris Andrew Thompson

| | | | | | | | | | | | |
|--|---|----------|----------|--|----------|--|----------|--|----------|--|-----------------------------------|
| Swiss Teams Board no 4 Dealer West All vulnerable | ♠ 98 ♥ Q965 ♦ J972 ♣ 984 | | | | | | | | | | |
| ♠ AKJ543 ♥ K8 ♦ KT ♣ A73 | <table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table> | | <i>N</i> | | <i>W</i> | | <i>E</i> | | <i>S</i> | | ♠ Q ♥ T432 ♦ AQ86 ♣ QJ52 |
| | <i>N</i> | | | | | | | | | | |
| <i>W</i> | | <i>E</i> | | | | | | | | | |
| | <i>S</i> | | | | | | | | | | |
| | ♠ T762 ♥ AJ7 ♦ 543 ♣ KT6 | | | | | | | | | | |

Basic systems:

North-South play 4 card majors, weak NT

East-West play Acol + Multi 2♦

| WEST | NORTH | EAST | SOUTH |
|-------|-------|------|-------|
| 2♠(A) | Pass | 2NT | Pass |
| 4♠ | Pass | Pass | Pass |

Result at table:

4♠ +1 by West, NS -650

Director first called:

At end of hand

Director's statement of facts:

No questions were asked during the auction. At the end of the auction N/S asked and were told that although E/W had played together before East could not remember if they played Acol Twos or Weak Twos. She had bid 2NT to keep the auction open. When asked, West said she bid as she did because she did not want to stay out of game.

Director's ruling:

Score assigned for both sides:

4♠ +1 by West, NS -650

Details of ruling:

The 4♠ bid was based on the unauthorised information from the alert. However, East would always go on to game for fear of missing a vulnerable game. She might bid 3NT but the same number of tricks are available. Law 16.

Note by editor:

Despite the same score and result this was an assigned score reached via a different auction which is different from "Table result stands".

Appeal lodged by:

North-South

Basis of appeal:

E/W won't always reach game.

Director's comments:

West's 2♠ was intended as an Acol Two (forcing). But she regarded 2NT as natural and invitational.

Lack of bidding from N/S might influence East to conclude that partner had a Strong Two bid.

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

E/W were an inexperienced pair. East was not sure about the meaning of 2♠, but we feel that she would bid on (possibly 3NT or 4♠) over 3♠ by West.

We considered awarding a weighted ruling, but we felt that (given the standard of the players) East would be bidding.

3NT and 4♠ both score equivalent.

David Stevenson's comments:

It is surprising that the TD and AC consider that East would always go to game when she did not know whether 2♠ was weak or strong! At the very least a weighted score to reflect the doubt would seem suitable.

Richard Hills' comments:

I have a minor disagreement with the adjusted score of the TD and AC. In my opinion, this is the legal auction that the TD and AC should have deemed would be in accordance with East's bidding style:

| <i>WEST</i> | <i>EAST</i> |
|-------------|-------------|
| 2♠(1) | 2NT(2) |
| 4♠(3) | Pass(4) |

- (1) East alerts in order to let West know that East is unsure whether 2♠ is weak or strong
- (2) East enquires, hoping that West will bid 3♠ with a weak two, or 4♠ with an Acol two
- (3) West legally rebids 3♠ with an Acol Two, which East deduces as "promising" a weak two
- (4) After West "promises" a weak two, East has a legal logical alternative to pass 3S

I have a major disagreement with what is, in my opinion, an important issue which the TD and AC failed to address. In my opinion, TDs and ACs should be sympathetic in their manner towards bunnies, but this does not extend to allowing a bunny West to infract Law 73C with impunity. West's clarifying leap to 4♠ was a major infraction of this major Law, and even a bunny West should have known that this leaping was unLawful. If I had been the TD or AC, I would have helped West's future remembrance of Law 73C by applying a Procedural Penalty.

Herman De Wael's comments:

East is uncertain whether 2♠ is weak or strong, so he is allowed to bid on just to make sure. No problem with 2NT, then. But what about 4♠? West also knows that they have neglected to decide whether to play weak or strong twos, but is he allowed to invent a system just to get out of the ambiguity (3♠=I was weak, 4♠=I was strong). I don't know the alerting regulations on weak and strong two's in England, but isn't there some room for ruling UI on the bid of 4♠? And then, if East does not know if 2♠ is weak or strong, what about the reply of 3♠ which we should impose on West? Depending on a number of these answers, I might stick EW with 3♠ just to teach them that they should not use illegal methods to get out of the mess of not knowing whether a bid is weak or strong.

Ron Johnson's comments:

Odd hand. But East's decision to keep the bidding open is legal and after that, West is going to drive to game -- unauthorized information or no there's no way they'll stop short of game.

Frances Hinden's comments:

I think N/S were over-egging things a bit to appeal. East's decision to respond 2NT already indicates that she doesn't want to risk missing game opposite a strong hand.

Fearghal O'Boyle's comments:

The TD rightly judged that the alert made the 4♠ very attractive to West. To me this a 12C3 case something along the lines of 50% of 4♠ and 50% of 3♠+1.

The AC seem to support the 12C3 ruling but give the weightings as 100% of 4♠ and 0% of 3♠+1. While this is hard to buy, the AC know their customers better than I do.

Adam Wildavsky's comments:

East would always bid over 3♠? I disagree. She would have a guess to make, and risks a poor score no matter which way she guesses. Were she committed to game she might as well have bid it on the first round! I see no reason to give the benefit of the doubt to the offenders. We should not allow the alert procedure to help a pair clear up their own misunderstandings. I'd award a procedural penalty against East-West, for West's failure to live up to her obligations under Law 73C. Further, I'd adjust the score for both sides to 3♠+2, EW +200.

Gordon Bower's comments:

The ruling is reasonable if EW are inexperienced and the facts are as given. I am not convinced East would always go on after 3♠, and would have preferred an adjustment to -200 (3♠ making 5).

Is the basic system statement ("EW play Acol + Multi 2D") correct? If so, 2♠ natural and weak seems unlikely, while 2S=spades+minor and 2NT=bid your minor makes sense.

Laurie Kelso's comments:

Given that the Director decided that 4♠ was an infraction, I am totally unconvinced that East will diagnose 3♠ as 'strong' rather than 'weak'. The lack of any N/S bidding seems a tenuous justification for allowing E/W to always reach a game level contract.

EBU Laws & Ethics Committee comments:

It seems clear from West's comments not just that she could have been influenced by the unauthorised information, but that her choice of 4♠ was actually so influenced. West (who knew that 2♠ was, by agreement, an Acol Two) stated that 2NT was natural and invitational. It would have been helpful if the TD had recorded whether this was supported by the convention card.

It is helpful that the Appeals Committee recorded that they had considered and rejected a weighted score, even if their conclusion, that East (who obviously feared that 2♠ was weak) would never pass West's hypothetical 3♠, is surprising.

Final summary by editor:

It seems very generous to allow the offending side the benefit of the doubt in a situation where they admitted to not knowing what they were doing, and most commentators think so.

APPEAL No 14: Deduction is the name of the game

Tournament Director:

Roland Bolton

Appeals Committee:

Tim Rees (Chairman) Jeff Smith Neil Rosen

| | | | | | | | | | | | |
|--|---|----------|----------|--|----------|--|----------|--|----------|--|-----------------------------------|
| Swiss Teams Board no 5 Dealer North NS vulnerable | ♠ KJT953 ♥ 976 ♦ T ♣ QT4 | | | | | | | | | | |
| ♠ A762 ♥ 432 ♦ AQ53 ♣ 86 | <table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table> | | <i>N</i> | | <i>W</i> | | <i>E</i> | | <i>S</i> | | ♠ Q84 ♥ Q ♦ KJ864 ♣ AK93 |
| | <i>N</i> | | | | | | | | | | |
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| | <i>S</i> | | | | | | | | | | |
| | ♠ - ♥ AKJT85 ♦ 972 ♣ J752 | | | | | | | | | | |

Basic systems:

North-South play Acol + Multi

East-West play as defence to Multi 2♦:

In 2nd posn: dbl = 12-15 bal or 18+ any; 2NT = 16-18

In 4th and 6th posn: dbl = t/o

| WEST | NORTH | EAST | SOUTH |
|---------|----------|------|----------|
| | 2♦(A)(1) | Pass | 3♥(A)(2) |
| Pass | 3♠ | 4♦ | Pass |
| Pass(3) | Pass | | |
| | | | |
| | | | |

- (1) Multi 2♦
- (2) Asked by West: told pre-emptive in either major
- (3) Before passing West asked if 3♠ was auto-correct and was told yes

Result at table:

4♦ +1 by East, NS -150, lead ♥A

Director first called:

At end of hand

Director's statement of facts:

At end of auction South told opponents (after sending his partner away from the table) that explanation of 3♥ bid was wrong. He told opponents that his 3♥ bid was natural and a bid of 3♦ was pre-emptive in either major. E/W reserved their rights.

E/W claimed damage on the basis of misinformation at the end of play. North stated that he had not looked at his system notes. West claimed that on the basis of information given:

- his ace of spades was wasted value, and
- East would have long hearts

Given correct information that 3♥ was natural it would be possible that East was short in hearts.

N/S stated that West had the values to bid 5♦ irrespective of explanation given of South's 3♥ bid.

Director's ruling:

Table result stands

Details of ruling:

West not damaged by explanation: his hand was worth a 5♦ bid.

Appeal lodged by:

East-West

Director's comments:

Result at table resulted in -6 imps to N/S. 3NT -2 at other table: NS -100. Match result +20 imps to N/S, ie 17 VPs.

Appeals Committee decision:

Score assigned for both sides (Law 12C3):

30% of 4♦ +1 by East, NS -150

+ 70% of 5♦ making by East, NS -400

Deposit returned

Appeals Committee's comments:

West may bid 5♦ with correct information.

West explained why he hadn't bid 5♦ (he thought that East had 3 or 4 hearts, and there may be losers there). His arguments were convincing to us. We feel the probability of him bidding 5♦ was 70%.

David Stevenson's comments:

Since South was defending he had no right to send his partner away from the table and correct the mis-explanation: the Laws require defenders to wait until the hand is completed. However, having done so West has no excuse whatever: if the Director had been called he would have given West his last pass back and we would have found out for certain whether he would really have bid 5♦.

Once the Director was not called the laws do not allow a later adjustment so the final decision by the AC was illegal – and it was the TD's job to clarify this.

It cannot be stressed enough that while leaving Director calls to the end of the hand might be suitable in some cases it is never suitable when misinformation is concerned. The Director has additional powers but he cannot use them if he is not called.

Richard Hills' comments:

“At end of auction South told opponents (after sending his partner away from the table) that explanation of 3♥ bid was wrong.”

No! No! No! Since South was a defender, a correction of North's misexplanation must be delayed until the end of play – Law 75D2 – since an earlier correction would give UI to North. South laudably attempted to minimise the UI to North by sending North away from the table, but unfortunately the action of South dispatching North was in itself an infraction of the Law 75D2 phrase “nor may he indicate in any manner that a mistake has been made”.

Duplicate Contract Bridge is unique amongst games, in that the players are not expected to know all the rules. But the EBU has been remiss in failing to educate all its players with two vital pieces of knowledge:

- the appropriate time when it is legal to summon the Director, and
- the requirement that the Director (not the players) resolves irregularities.

Herman De Wael's comments:

One remark: If the probability of West bidding 5♦ was 70%, maybe the AC should have given him the whole 100% of that bid.

Eric Landau's comments:

Just because a committee may compute an adjustment based on assigned weights for multiple possible outcomes doesn't mean they must, and I don't see why they did so here. They determined that there was misinformation, West claimed that he would have bid 5♦ with correct information, and the committee says that "his arguments were convincing to us". But their ruling contradicts that statement. If they were in fact convinced by West's arguments, they had no reason to adjust the score to anything other than 100% of 5♦ making.

Ron Johnson's comments:

The committee heard West and were convinced. Good enough for me, since I think the benefit of the doubt should go to the non-offending side. (I was a lot closer to the director's viewpoint initially)

Frances Hinden's comments:

There was a lot of action at the end of the auction: South sent his partner away from the table to correct the explanation, EW "reserved their rights". Why didn't anyone call the TD? West could change his call to 5♦ under L21B1 and get 100% of +400. As it is, the White Book is clear that 21B3 means that the AC are not allowed to change West's final call and the table result must stand. So the TD gave the right ruling for the wrong reason, and the AC incorrectly changed it!

Fearghal O'Boyle's comments:

Firstly South a defender should not correct his partner's mistaken explanation until the hand has been played out (75D2). I agree with the AC that West might have bid 5♦ with the correct explanation and 70% of the time seems about right.

Adam Wildavsky's comments:

Even if he believes E/W were damaged primarily by their own actions rather than by the misinformation the TD still ought to adjust the N/S score under Law 72b1.

Gordon Bower's comments:

To my mind, correct information reveals NS may be in the midst of a misfit and makes it **less** likely EW will bid on. I wasn't at the hearing, but West's argument isn't convincing to me. I stand by the table director.

Laurie Kelso's comments:

South has chosen the wrong moment to correct his partner's mis-explanation and sending North away from the table won't really solve the potential unauthorised information problems either. The E/W decision to 'reserve their rights' is only relevant in UI situations, not here where the Director should have been summoned immediately a problem became apparent.

I do not understand West's argument that 5♦ becomes a more favourable action when given a correct explanation of the N/S agreements. The Director ruled that E/W were not damaged by North's mis-explanation, the AC thought otherwise.

Final summary by editor:

As Frances notes the decision by the Committee was illegal. Players do not call the TD when they should, and should not gain therefrom.

APPEAL No 15: Do I want a diamond lead?

Tournament Director:

John Probst

Appeals Committee:

Tim Rees (Chairman) Jeff Smith Mike Scoltock

| | | |
|--|---|-----------------------------------|
| Swiss Teams Board no 22 Dealer East EW vulnerable | ♠ J75 ♥ J987 ♦ KQ64 ♣ A4 | |
| ♠ A ♥ AKT62 ♦ JT985 ♣ 93 | <i>N</i> <i>W</i> <i>E</i> <i>S</i> | ♠ KQT984 ♥ Q ♦ A72 ♣ J86 |
| | ♠ 632 ♥ 543 ♦ 3 ♣ KQT752 | |

| WEST | NORTH | EAST | SOUTH |
|---------|-------|------|-------|
| | | 1 ♠ | 3 ♣ |
| 3 ♥ | Pass | 3 ♠ | Pass |
| 4 ♦ (A) | Dbl | 4 ♠ | Pass |
| Pass | Pass | | |

Result at table:

4 ♠ making by East, NS -620, lead ♦ 3

Director first called:

At end of hand by North

Director's statement of facts:

West explained to N/S before the opening lead that 4 ♦ should not have been alerted. On a diamond lead (requested by the double) the contract made. North said he would not have doubled if there had been no alert. South had no views as to leading a club as a diamond lead is mandated by the double.

Director's ruling:

Score assigned for both sides (Law 12C3):

75% of 4♠ -1 by East, NS +100

+ 25% of 4♠ making by East, NS -620

Details of ruling:

In the TD's opinion a diamond lead is very unattractive if 4♦ is natural and a club lead stands out. On the club lead, if third round is ducked in dummy, a spade switch still beats the contract. This defence will be found.

Appeal lodged by:

East-West

Basis of appeal:

Too great an award for the ♣K lead.

Director's comments:

Phil Godfrey, myself and Robin Barker all felt 70% of the ♣K was about right, so I adjusted to 75% in favour of the non-offenders.

Note by editor:

Phil Godfrey and Robin Barker are also TDs.

In England 'sympathetic weighting' is used whereby there is a slight bias towards the non-offenders in calculating weighting.

Appeals Committee decision:

Director's ruling upheld

Deposit forfeited

Appeals Committee's comments:

If North had been given the correct explanation he would not have doubled. In that case South would be unlikely to lead a diamond. In the actual event South knew that West had diamonds, but partner had still asked for a diamond lead.

The Committee felt that the chance of a club lead was in excess of 75%. However we have left the percentages the same. As we were unanimous and quick we have retained the deposit.

David Stevenson's comments:

Reasonable enough, I suppose, though I do wonder whether North will never be doubling if he thinks 4♦ natural. It could easily be that a diamond lead is needed to beat the hand with his holding. I would have included this view in my weighting – though I might have come to the same conclusion as to the actual weighting anyway.

Note that the AC correctly did not fiddle with the weighting. Only if they believe the TD has made a mistake should they alter any assigned score.

Richard Hills' comments:

There is a popular misconception amongst aggrieved players that an appeal is a cost-nothing exercise – heads you win, tails you break even. However, while E/W obviously thought that they had received an “unlucky” TD score-adjustment, the AC correctly considered giving them an even “unluckier” score-adjustment. The only reason that the E/W escaped is that the AC abided by the EBU instruction to ACs of “don’t fiddle with the percentages”.

That is, the EBU has ruled that a TD’s Law 12C3 weighted score should remain unaltered by the AC, unless the AC wishes to create a major change to the weighting. (Presumably this EBU instruction is designed to prevent time-wasting trivial appeals, that seek a mere 5% improvement in a weighted score.)

Herman De Wael's comments:

One extra argument: if the double of an alerted bid mandates the lead of that suit, then the non-double should negate it. So North must certainly double 4♦, lest he tells his partner it's an absolute bad lead. Without the alert, North will let his partner decide, and the club lead does stand out.

I too would have been more interested if NS had appealed, asking for more than 75% of the club lead. With EW appealing, a quick "ruling upheld" and "deposit forfeited" is absolutely correct.

Ron Johnson's comments:

A well explained ruling. I'm slightly surprised that the deposit was retained, but I understand that appeals simply for the purpose of slightly changing the weights are actively discouraged. And that's quite reasonable to me.

Frances Hinden's comments:

The AC were “unanimous and quick” but this could be the hardest hand of them all! South may be slightly disingenuous about the lead being “mandated” even after a natural 4♦. What would he have led with his red suits switched? I gave the South hand to five good players as a lead problem (with no double of 4♦) and they unanimously led their singleton. 4♠ still makes after 3 clubs and a spade switch if declarer discards on the third club; the simple squeeze plays itself. Declarer does have the losing option of ruffing the third club and playing for a short ♠J, or ♥Jx with the doubleton ♠, or a misdefence and squeeze if LHO is 3316 with the ♠J. I think the squeeze is the better line but I’m not certain by how much. If East is a competent declarer I’m close to restoring the table result; certainly 25% is very harsh.

Jeffrey Allerton's comments:

I don’t like it when people double alerted bids without asking. It may imply their holding in the suit is so strong it doesn’t matter what the bid means. North has no reason to fear giving UI from asking and passing if it is natural as in that case he doesn’t necessarily want a diamond lead. At teams, the singleton diamond lead is obvious anyway being the most straightforward way to beat the contract.

Fearghal O'Boyle's comments:

I agree with the TD and the AC and adjust to the outcome after a Club lead. What have we missed? A squeeze...oh well.

Adam Wildavsky's comments:

I agree that the appeal had no merit. If the AC thought that the TD's adjustment was too generous to the offenders I don't see why they didn't back their judgement and change the ruling. It's always satisfying to see a pair who ought not have appealed come out of the committee room with a worse score than they had going in.

Gordon Bower's comments:

No complaints. In the USA where we don't use Law 12C3, director and committee would have simply adjusted to 4♠-1.

Laurie Kelso's comments:

I also believe that a club lead is greater than a 75% chance, although not everyone will find the spade switch after three rounds of clubs. Even then, the existence of the D7 in East's hand will mean that the contact still rolls home!

The only real issue here is whether East will fail to find the squeeze. Although no one noticed anything prior to the appeal, I believe that most declarers would fall into it at the table. I would not be varying the table result since the chances of 4♠ failing appear to be miniscule.

Final summary by editor:

Would you lead the diamond without the double?

APPEAL No 16: Is this a slam try?

Tournament Director:

John Horsley

Appeals Committee:

Frances Hinden (Chairman) Eddie Lucioni David Jones

| | | | | | | | | | | | |
|--|---|----------|----------|--|----------|--|----------|--|----------|--|-----------------------------------|
| Swiss Teams Board no 14 Dealer East None vulnerable | ♠ KQ3 ♥ KJT8742 ♦ 85 ♣ A | | | | | | | | | | |
| ♠ T4 ♥ 93 ♦ K4 ♣ QJ98543 | <table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table> | | <i>N</i> | | <i>W</i> | | <i>E</i> | | <i>S</i> | | ♠ 986 ♥ Q65 ♦ QJT976 ♣ 6 |
| | <i>N</i> | | | | | | | | | | |
| <i>W</i> | | <i>E</i> | | | | | | | | | |
| | <i>S</i> | | | | | | | | | | |
| | ♠ AJ752 ♥ A ♦ A32 ♣ KT72 | | | | | | | | | | |

| WEST | NORTH | EAST | SOUTH |
|------|-------|------|-------|
| | | 3♦ | 3♠ |
| 5♦ | 5♠ | Pass | 6♠ |
| Pass | Pass | Pass | |

Result at table:

6♠ +1 by South, NS +1010

Director first called:

At end of hand by E/W

Director's statement of facts:

North asked the nature of the 5♦ bid and was told that it was pre-emptive in nature ("to up the ante"). He thought and then bid 5♠.

E/W queried South's raise to 6♠.

Director's ruling:

Table result stands

Details of ruling:

6♠ was clearly the probable bid for South. Pass does not seem a logical alternative. Law 16A.

Appeal lodged by:

East-West

Basis of appeal:

Unhappy with raise to 6♠.

Director's comments:

South's raise to 6♠ seems automatic even though the hesitation over North's 5♠ bid may be due to weakness rather than to extra values.

Comments by North-South:

After asking about 5♦, I was considering 5NT (pick a slam) or whether to just agree spades as I finally did. Subsequently I felt partner should bid 6♦ to indicate a stronger and forward-going hand.

Appeals Committee decision:

Score assigned for both sides:

5♠ +2 by South, NS +510

Deposit returned

Appeals Committee's comments:

The Committee decided pass is a logical alternative, and the hesitation suggested bidding on.

The Committee was unanimous that pass is a logical alternative. There was a lot of discussion about whether bidding on was suggested by the hesitation which eventually led to a 2-1 vote in favour of adjusting the score; it was felt by the majority that a slow 5♠ bid here is virtually always a slam try.

David Stevenson's comments:

No doubt pass is an LA: not everyone would be that keen on a slam with that moth-eaten suit. But what does the hesitation suggest?

I agree with the dissenting voice: this is a position where 5♠ could easily be a stretch, with pass (or double) being the alternative, and I do not believe that the hesitation suggests slam. I can imagine South passing, slam not making, and a request for a ruling because South had not bid 6♠!

Richard Hills' comments:

This time I will write: "An impeccable ruling by the AC, but the TD crashed and burned while crossing a pons asinorum."

A minimum 3♠ overcall is not consistent with an automatic 6♠ rebid after an ambiguous-strength competitive 5♠ raise from pard. If South actually thought that their own cards were wonderful (rather than getting UI that North held maximum values for North's 5♠ call), South's initial action would be a call consistent with wonderful cards, such as Double. Therefore, the AC was correct in ruling that passing 5♠ was a logical alternative for South.

It is unclear from the writeup of this appeal whether or not the TD bothered to consult appropriately before the TD made their judgement ruling. If no such consultation occurred, then there is a *prima facie* case that a Director's error caused the AC's drinking time to be unnecessarily wasted.

Herman De Wael's comments:

The AC was correct in focusing on the right problem. Passing is a LA, but was bidding on suggested by the hesitation or not? North has to make the first decision at the five-level, and everyone around the table knows he does not have zero points. After thinking for a short while, the next decision is to know whether or not pass would be forcing. Since it most probably would not be, North has to bid something and by now he's almost certainly fixed, since the time elapsed is over 15 seconds. Yet he still hasn't taken any time on the real problem. So finally, he makes a decision. Why should we let South suffer? Yes, passing is possible, but how can he know that six is on? He takes a gamble, and it works. I don't feel we should take this away from them. First EW raise to bar to enormous heights, forcing NS to gamble, and then they complain to the TD that NS's gamble worked. They should be happy that they've kept NS out of seven.

Con Holzscherer's comments:

In a competitive bidding situation at the five level I am inclined to define 'normal tempo' as taking 10 seconds to bid. Therefore I want to know the duration of North's hesitation over 5 diamonds. If that did not last more than 10 seconds, I would rule 'no UI'. Otherwise, I would still tend to side with the minority of the AC.

Ron Johnson's comments:

I agree with the committee's logic and their subsequent ruling. I'm slightly surprised that there was a dissenter, though crowded auctions are always tricky to judge.

Frances Hinden's comments:

I get to have the last word! We disagreed with the TD and all thought that pass was a LA. I feel that North's question and slow pass doesn't suggest bidding over passing. It could have been close between pass and bid, or between double and bid. North could have high cards but poor spades. Still, we spent a long time discussing this and in the end the majority won.

Fearghal O'Boyle's comments:

North has transmitted UI by quizzing his opponents before bidding 5♠. A competitive 5♠ would have been bid a lot sooner. Of course passing 5♠ is a logical alternative for South. The AC did well to adjust back to 5♠+2.

Adam Wildavsky's comments:

We need more data. Was the Stop card used? How long was this alleged hesitation?

Gordon Bower's comments:

A typical judgment call. The director and AC both have reasonable though differing views. This one could go either way depending what mood the committee is in. I think the AC's "virtually always" is too strong.

Laurie Kelso's comments:

I too have some reservations about whether the hesitation is suggestive of extra values, however no one can argue about the Committee's regard for due process or its decision.

EBU Laws & Ethics Committee comments:

The L&E is on record as concluding that in many situations a slow bid is more likely to suggest extra values than that the bid is a stretch. However, the L&E doubts that this is a valid conclusion of general application when a player is under pressure at a high level. Accordingly, although the TD's conclusion that Pass was not a logical alternative does not seem right, it would not have been surprising if the score had been allowed to stand on the basis that the successful action was not suggested by the unauthorised information.

The L&E has also minuted that a that a short hesitation immediately following an unexpected bid by an opponent should not necessarily be considered to be a departure from normal tempo or to transmit significant unauthorised information. It confirms that a "bounce" in response to a pre-empt should not be regarded as unexpected.

Final summary by editor:

Richard throws doubt on whether the TD consulted. Trained EBU TDs learn very early on **always** to consult and thus few bother to write on the form that they had followed normal procedure: it is assumed.

Adam asks whether the Stop card was used. In North America where Adam plays not everyone uses the Stop card. Some people never use it, some people are just inconsistent. However, in England, everyone uses the Stop card in tournament play (and nearly everyone in clubs) so if it had not been used it would be so unusual that it would definitely have been part of the write-up.

The most interesting question is unresolved: what does the hesitation show?

APPEAL No 17: Why appeal?

Tournament Director:

David Stevenson

Appeals Committee:

Alan Mould (Chairman) Michael Wilkinson Gunnar Hallberg

| | | | | | | | | | | | |
|--|---|----------|----------|--|----------|--|----------|--|----------|--|-----------------------------------|
| K/o teams Board no 4 Dealer West All vulnerable | ♠ KT4 ♥ KJ5 ♦ KT8 ♣ J964 | | | | | | | | | | |
| ♠ A96 ♥ A2 ♦ J543 ♣ Q853 | <table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table> | | <i>N</i> | | <i>W</i> | | <i>E</i> | | <i>S</i> | | ♠ J75 ♥ T ♦ AQ72 ♣ AKT72 |
| | <i>N</i> | | | | | | | | | | |
| <i>W</i> | | <i>E</i> | | | | | | | | | |
| | <i>S</i> | | | | | | | | | | |
| | ♠ Q832 ♥ Q987643 ♦ 96 ♣ - | | | | | | | | | | |

Basic systems:

North-South play 4card majors

East-West play Acol

| <i>WEST</i> | <i>NORTH</i> | <i>EAST</i> | <i>SOUTH</i> |
|-------------|--------------|-------------|--------------|
| Pass | 1 ♣ | 1 ♦ | 1 ♥ |
| 2♥(A) | Pass | 2NT | Pass |
| 3NT | Pass | Pass | Pass |

Result at table:

3NT making by East, NS -600, lead ♠x

Director first called:

At end of hand

Director's statement of facts:

2♥ was described as “better hearts than clubs” or “showing something in hearts not clubs”.

West says she bid 2♥ rather than 2♣ because she felt the ♥A was more useful than the ♣Q.

South says that West's hand does not conform to “showing something in hearts not clubs” and he might bid 3♥ with a different explanation perhaps leading to a profitable sacrifice in 4♥ doubled.

Director's ruling:

Table result stands

Details of ruling:

There was no misinformation

Appeal lodged by:

North-South

Appeals Committee decision:

Director's ruling upheld

Deposit forfeited

Appeals Committee's comments:

The Committee felt the agreement as to the 2♥ bid was accurately described.

The 2♥ bid did have something in hearts as described. South chose not to bid 3♥. That is his decision. The Committee also noted that if E/W reach 5♦ this is made on a normal play (particularly on a heart lead).

We feel this appeal had no bridge merit at all. The Committee had no hesitation in forfeiting the deposit.

David Stevenson's comments:

It is very worrying that the most the AC could do with this nonsense was to keep a deposit. Players who like to waste people's time like this should have greater sanctions against them.

Richard Hills' comments:

At last! Both the TD and the AC successfully cross a pons asinorum.

Herman De Wael's comments:

If it is normal in England to call A2 "something" then indeed this appeal has no merit.

Ron Johnson's comments:

I don't care for the explanation of West's call, but that's a minor issue. I don't believe the explanation affected North's bidding decision (Looks to me like he chose not to show hearts because he was worried about getting overboard. Even by British standards that's a mighty thin opener)

I don't disagree with the decision to hold the deposit, but I've seen appeals with less merit get their money back.

Frances Hinden's comments:

The TD and the AC got this one right, including forfeiting the deposit (although the fate of 5♦ is irrelevant).

Fearghal O'Boyle's comments:

Correct decision all around. Next case please.

Adam Wildavsky's comments:

Perfect decisions.

Gordon Bower's comments:

I concur with the decision. Provided the explanation is correct, West's bidding judgment is not on trial. (I also happen to agree with West's choice of bids, but that hasn't any bearing on the case itself.)

Laurie Kelso's comments:

The write-up says it all – no infraction – no damage.

Final summary by editor:

This appeal brings out again the question of what method should be used to discourage totally meritless appeals.

APPEAL No 18: A wonderful contract

Tournament Director:

John Pyner

Appeals Committee:

David Burn (Chairman) Chris Jagger Roger Gibbons

| | | | | | | | | | | | |
|--|---|----------|----------|--|----------|--|----------|--|----------|--|-----------------------------------|
| K/o teams Board no 32 Dealer West EW vulnerable | ♠ 6432 ♥ AT6 ♦ QT6 ♣ AJ6 | | | | | | | | | | |
| ♠ 8 ♥ J532 ♦ K4 ♣ QT9843 | <table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table> | | <i>N</i> | | <i>W</i> | | <i>E</i> | | <i>S</i> | | ♠ KQJT9 ♥ KQ9 ♦ AJ73 ♣ K |
| | <i>N</i> | | | | | | | | | | |
| <i>W</i> | | <i>E</i> | | | | | | | | | |
| | <i>S</i> | | | | | | | | | | |
| | ♠ A75 ♥ 874 ♦ 9852 ♣ 752 | | | | | | | | | | |

Basic systems:

North-South play

East-West play

| <i>WEST</i> | <i>NORTH</i> | <i>EAST</i> | <i>SOUTH</i> |
|-------------|--------------|-------------|--------------|
| Pass | 1 ♠ | Dbl | 2 ♠ |
| Pass | Pass | 2NT(1) | Pass |
| 3 ♣(A)(2) | Pass | 3 ♦ | Pass |
| 4 ♥ | Pass | Pass | Pass |

- (1) Alerted per West: not alerted per other three
- (2) Puppet Stayman

Result at table:

4♥ making by West, NS -620

Director first called:

At end of auction by South

Director's statement of facts:

South expressed concern about possible unauthorised information arising from alert. It was at this point that West said he had alerted 2NT, but the other three players told him he had not. TD directed play to proceed, and was recalled at the end of the hand.

South and North both said West had explained 2NT as minors when asked (all questions took place before opening lead faced). West denied this and said he had said strong two-suiter. When asked why he had bid 4♥, he said he thought East had four hearts and good diamonds, but not five hearts as East had not used Ghestem. N/S say that East's alert of 3♣ has given unauthorised information to West and that the 4♥ is based on the unauthorised information.

Director's ruling:

Table result stands

Details of ruling:

West does have unauthorised information, but 4♥ is by no means suggested by it.

Appeal lodged by:

North-South

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

No advantage taken of unauthorised information. West's bidding is consistent with his belief that East had the red suits (not necessarily with the unauthorised information that East had a strong balanced hand). Therefore no infraction and no damage.

David Stevenson's comments:

I have no idea what was going on here but nothing illegal seems to have occurred.

Richard Hills' comments:

In Appeal Number Four, that AC unlawfully ruled that E/W "had played together for some time and their failure to be able to explain damaged N/S". I am relieved that this AC Lawfully rules that Bobby Wolff's pet idea of Convention Disruption is a non-existent infraction.

Herman De Wael's comments:

I don't understand this case. Please read the write-up and try to make more sense out of it. Maybe it's just me.

Ron Johnson's comments:

I can't see any merits to the appeal. Looks to me like a good investigation by the director and a clear ruling.

Frances Hinden's comments:

E/W ended in a silly contract and N/S feel they deserved a good score because E/W didn't know what the auction meant. There is nothing on the form to explain why they have been damaged. N/S should think themselves lucky that West didn't find a responsive double over 2♠!

Fearghal O'Boyle's comments:

If there's anything wrong with the TD/AC decision then I'm afraid I've missed it too.

Adam Wildavsky's comments:

Good work all around.

Gordon Bower's comments:

No complaints.

Laurie Kelso's comments:

Pity we were not informed about East's recollection of his partner's explanation. West appears to be 'off the planet'. Leaving that aside, both the Director and AC seem to be spot on with their evaluation of the situation.

Final summary by editor:

No-one seems to have understood this any more than me!

APPEAL No 19: Which card did you say?

Tournament Director:

David Stevenson

Appeals Committee:

Richard Fleet (Referee)

Note by editor:

A Referee is an Appeals Committee of one

| | | | | | | | | | | | |
|---|---|----------|----------|--|----------|--|----------|--|----------|--|--|
| Round Robin Board no 20 Dealer West All vulnerable | ♠ A Q T 9 ♥ 8 5 ♦ A T 9 4 ♣ A J 2 | | | | | | | | | | |
| ♠ 4 2 ♥ Q 9 6 4 3 2 ♦ 7 ♣ Q 9 8 7 | <table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;"><i>N</i></td><td></td></tr> <tr><td style="text-align: center;"><i>W</i></td><td></td><td style="text-align: center;"><i>E</i></td></tr> <tr><td></td><td style="text-align: center;"><i>S</i></td><td></td></tr> </table> | | <i>N</i> | | <i>W</i> | | <i>E</i> | | <i>S</i> | | ♠ K 8 7 6 5 ♥ A J 7 ♦ K 8 5 2 ♣ 3 |
| | <i>N</i> | | | | | | | | | | |
| <i>W</i> | | <i>E</i> | | | | | | | | | |
| | <i>S</i> | | | | | | | | | | |
| | ♠ J 2 ♥ K T ♦ Q J 6 3 ♣ K T 6 5 4 | | | | | | | | | | |

Basic systems:

North-South play Acol

East-West play 5 card majors

| WEST | NORTH | EAST | SOUTH |
|------|--------|------|-------|
| Pass | 1 ♠ | Pass | 2 ♣ |
| Pass | 2NT(A) | Pass | 3NT |
| Pass | Pass | Pass | |

Play:

| | | | |
|----|---------------------------------------|----|--------------|
| T1 | Spade to jack | T2 | Club to ace |
| T3 | Club jack to queen | T4 | Spade to ace |
| T5 | Club to king | | |
| | Played cards are shown struck through | | |

Result at table:

3NT -3 by North, NS -300, lead ♠6

Director first called:

During trick 6

Director's statement of facts:

At trick 5 declarer played a club to dummy's king. He then called for "a club" with T6 remaining in dummy. It was clear that he knew the ten was good but the six was not.

Declarer could give no reason for saying "a club" when he knew this was a mistake. He agreed that he knew that "a club" meant a small club.

Dummy hesitated before playing a card and now declarer asked for the ten.

Director's ruling:

Club six was played.

Details of ruling:

TD judged that his mind had wandered and the play was a mistake not that his intention was to play high. Laws 46B, 46B2

Appeal lodged by:

North-South

Basis of appeal:

Declarer intended to play ♣T.

Comments by North-South:

If it is a judgement matter, it is clear that the top club is to be played. Declarer's intention was clear even if his speech was deficient.

Comments by East-West:

Dummy reached out and hovered over the cards.

This is akin to a careless play, like playing the wrong card from hand. Declarer switched off for a moment.

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

Declarer's incomplete designation was careless. It is not incontrovertible that he intended to play CT: it might have been different had dummy played C6 immediately, to be instantly corrected by declarer. The sequence of events is indicative of dummy having woken up declarer.

David Stevenson's comments:

Seems clear enough. Note the Referee's comment that a delayed reaction does not suggest a mechanical error. This is different from Bidding Boxes where a delayed reaction often means that the player did not look at the card played. When declarer calls for a card from dummy he is much more prone to look at it.

Richard Hills' comments:

This is a problem of infinite regress.

Does Law require declarer's intention to be incontrovertible?

Or does Law require that it is incontrovertible that declarer's intention was incontrovertible?

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Or does Law require...?

It seems that the TD (and AC) answered question number 2 in the negative. If I had been TD, I would have answered question number 1 in the positive.

Herman De Wael's comments:

The last sentence seems a good one, but it's not. Both dummy taking the six and Declarer immediately correcting AND dummy hovering and declarer immediately adding "the ten" are indicative in the same manner that declarer knew the ten was high. Provided the same immediacy exists, there can be grounds for believing that declarer's intent is incontrovertible.

I usually look for an alternative possibility. If I can determine that it is possible that declarer thought both clubs were good, I will rule the six is played. I might think of asking declarer which card East had played in trick 3. If he can name it, he knows clubs were 4-1, and I would be more willing to allow the 10 to be played.

Con Holzschere's comments:

There should have been a remark in the AC comment about the misbehavior of dummy.

Ron Johnson's comments:

I don't care for dummy's actions and I can't imagine that the director did either. I hope that he got some kind of reprimand -- even an unofficial one.

That said, the ruling seems clear enough. Some people might feel it was harsh, but I don't.

Frances Hinden's comments:

I'm surprised NS bothered appealing, I wouldn't have been surprised if the deposit had been kept.

Fearghal O'Boyle's comments:

Another good decision by TD and AC.

Adam Wildavsky's comments:

I agree with the TD and Referee decisions. I see no merit in the appeal, but I suppose that a referee ought to be more reluctant to keep the deposit than a committee would be.

Gordon Bower's comments:

In full agreement with the director and committee.

Laurie Kelso's comments:

These types of decision are best left to the Director at the table, at the time and a subsequent appeal rarely furthers either side's case. The means via which declarer realised an inadvertent designation had occurred has little to do with trying to diagnose the original intent, however it can be relevant in regard to deciding whether declarer has 'paused for thought'. In this case dummy's behaviour in implicitly questioning declarer's choice of card certainly told against his partner.

EBU Laws & Ethics Committee comments:

The L&E endorses the principle stated by the referee – an immediate correction could have been more indicative of a mechanical error.

Final summary by editor:

Dummy's actions were disliked by some commentators, not unreasonably. No-one seemed to think the ruling wrong.

FINAL COMMENTS

David Stevenson's comments:

I am a little unhappy since I think the overall standard of TD's rulings and AC's decisions has dropped.

Notably the ACs are still returning too many deposits: not enough weighted rulings are being given: and in two cases there seems something completely missed: in one a clear case of UI: in the other the lack of a TD call means no adjustment could legally be given – but it was! There was also a Reveley ruling by an AC.

It is a pity that the EBU does not have scribes, and while AC Chairmen are encouraged to write relevant comments made by the players on the form, very few ever do. As a result the information available is often a bit sketchy.

Eric Landau's comments:

As was the case last year, the quality of the decisions was quite good (much better than I'm used to seeing in North America), and only a minority of them moved me to comment.

Ron Johnson's comments:

As I mentioned, I'd like to have read more about the dissenting views. I know the committee members are volunteers and it's perhaps unfair to expect more of them, but I think dissenters should be encouraged to write up their dissent. Not because I want to discourage them. My experience has been that dissenting views often have a great deal to offer and are usually well reasoned.

All I'm suggesting is that if there is a minority view we should encourage them to put their reasoning on record if they want to.

If they don't, fine.

Frances Hinden's comments:

I wish that TDs and ACs didn't automatically rule against anyone who thinks or speaks during the auction and anyone who has a systemic misunderstanding.

I've seen it suggested that, as TDs consult with each other and with players in detail, perhaps we should stop using ACs. Overall I counted 4 hands where the AC improved the ruling and 2 where it was definitely worse than the first ruling. Not exactly conclusive, but the big advantage of an AC is that both sides get to put their case clearly and directly to the AC, who can ask detailed questions. It must appear fairer when the players can see and talk to those making the final decision, rather than being given the result of an unseen consultation.

Richard Hills' comments:

This my subjective tally of Appeals Committee performance in this casebook:

| | |
|--|------------------------|
| Poor TD rulings improved by ACs: | Four |
| (but one of these AC improvements was a “courageously” bad TD ruling which was only partially rectified by an AC’s invalid Reveley ruling) | |
| Good TD rulings ruined by ACs: | Five |
| AC individuals fortunately outvoted: | Two |
| TD <u>and</u> AC crashing and burning: | One (appeal number 13) |

If my subjective assessment bears even a passing resemblance to objective reality, then there is a worrying lack of competence amongst EBU Appeals Committee panellists. Appeals Committees are supposed to improve the process, but, in my opinion, the overall results of these 19 cases would have been better if a Director’s ruling was final.

My viewpoint is that panellists eligible to sit upon national-level ACs should be competent to deliver decisions by ACs to a national standard.

Likewise, members of a club-level AC should be competent to deliver rulings to a club-level standard.

This issue was a recent agenda item at a meeting of the Council of the Bridge Federation of the Australian Capital Territory, of which I am President.

BFACT and its largest constituent club, the Canberra Bridge Club, carefully considered eligibility for a joint panel of potential AC members, and specifically adopted a list of well-qualified panellists.

So, I conclude my comments for this 2003 casebook by suggesting that these casebooks are a step in the right direction. If the EBU required national-level AC panellists to be accredited, with perusal of these casebooks mandatory for them, then maybe **all** later national EBU appeals in this millennium will be equitably and Lawfully resolved.

Fearghal O'Boyle's comments:

I found the decisions good and therefore I couldn't improve or add to most of the comments in the write-ups. Hence the brevity of some of my comments.

Adam Wildavsky's comments:

Last year I found three cases where the AC improved upon the TD decision and three cases where the AC worsened the TD decision. Things are much happier this year. I judged that the AC improved the TD decision in three cases (3, 7, and 14) and worsened only one decision (case 14.) I found four cases (2, 5, 6, and 16) too close to call.

ACs ought to improve much more often than they worsen - they have a smaller caseload than TDs, more time to interview the players, and more time to deliberate. A perfect record in this regard is not too much to hope for.

While the results are improving, the sample size is small and this could well be due to chance. For those wishing to make a real improvement I will repeat the suggestion I made last year: Every committee ought to be explicit regarding the law or laws that they are applying. It's amazing how much this can achieve. This is also an effective tool for directors, and ought to be a requirement in all jurisdictions.

Gordon Bower's comments:

I believe the laws were applied correctly by all the directors, and all but two of the committees (4, 7). In several bridge-judgment cases I did not share the committee's view, but could understand why they felt as they did.

My biggest concern was that there were two cases (5, 12) where the Orange Book's policy on questions may have contributed to putting players in a no-win situation: if you ask because you are considering bidding, partner has UI; if you don't ask you don't know what to do; if you ask out of curiosity with a weak hand, your opponent might get redress if he plays you for some values.

Laurie Kelso's comments:

Unfortunately, I think the general standard of the AC decisions was actually lower than in the past. For those cases where the Director and the AC reached different conclusions, more often than not I found myself agreeing with the Director and there were a couple where I thought both were wrong!

This year I felt the standard of the case write-ups had improved. I realise one is often limited to what appears in the appeals form, but certain Directors and Appeal Committee Chairman seem to have made greater efforts to ensure their rulings and decisions were understandable and that the facts upon which they were based had been properly documented. Another positive was the reduction in frivolous exhibits.

The Directors invariably quoted the Law upon which their decision was based. The Committees need to do the same, especially when they modify an original adjustment. Sometimes the facts as discerned by the Director at the table and those presented to the Committee appeared to be different. This means that either the Director had failed to fully investigate the situation before making a ruling or the Committee failed to recognise the very human traits of rationalisation and embellishment.

An interesting set of Appeals with 48% of them resulting in some variation of the Director's decision by the Committee. I will leave it to others to attach what significance they wish to the statistic, but I am left with the feeling that this is much higher than in recent (EBU) times.

Final summary by editor:

This set of appeals does not seem to have impressed the commentators with the usefulness and accuracy of ACs. Hopefully booklets such as this one will help to improve their usefulness.