



Notes for new members of the Referees' List

Thank you for joining the Appeals Referees' list. These notes are written in response to comments from other referees, and aim to assist you in fulfilling your duties.

As a member of the list, you will be expected to chair any appeal committee of which you are the only list member. If you agree in advance to be the designated Appeals Advisor for an event at which you are playing, you may be asked to give advice to players as well as chairing/joining appeals committees. In those circumstances you would get a credit to your EBU account in return - £10 for agreeing to be the Appeals advisor and £10 for each occasion when you chair an appeal or are asked by a TD to act as a consultant. You should therefore ensure that you are available at the end of each session and check with the TD in charge before leaving the venue, to see if you are needed. If you are unable to stay at the end of a session please warn the TD i/c so that alternative plans can be put in place should the need for an appeal arise.

When chairing an appeal, please ensure that it is run in a professional manner. Players should arrive promptly at the agreed time, and so should committee members. An appeal will usually be held in a separate room, but conditions may sometimes dictate that it be held in a corner of the playing area. In either case onlookers should be kept away, and interruptions from anyone not connected with the appeal should not be allowed. Only the players concerned (and their team captains in teams' events) are entitled to be there, though you might choose to allow disinterested observers (eg visitors from abroad).

Remember that some appellants may not have been through the process before, and nothing should be said or done that might make them feel uncomfortable or lead them to doubt the impartiality of the committee. In particular, familiarity should not be expressed with one pair over another, and care should be taken not to make jokes or comments that could be mis-interpreted.

As you are unlikely to know in advance who is involved in the appeal, on occasion you may discover when you sit down to deal with it that one of the players is someone with whom you are particularly friendly or have had some history of bad feeling. In general it is best to stand down from the committee in these circumstances, even if you feel sure you could fulfil your role in an impartial manner, to avoid any impression of bias.

As a member of the list you might also be telephoned and asked to act as an offsite referee for a match played privately. (The list is published on the EBU Website, Diary and in the Conditions of Contest for KO events). This effectively makes you an appeals committee of one person, but we recommend that if you are in that position, you take your time and consult with others (from the referee list if possible) before making your decision.

If you are telephoned for a ruling you should establish with the caller whether you are giving a ruling of first instance i.e. as a director (which generally you should not be asked to do), or whether this is an appeal from a ruling of first instance. You may find it helpful to ask the director who gave the initial ruling to fill out an EBU Appeals Form, available on the website, and email it to you.

You are not expected to be a laws expert, nor do you need to have trained as a tournament director, but there are a few things that will make your job easier if you are familiar with them.

If you are not sure of the legal aspect of a case, you can always ask the TD or the Director in Charge for clarification. If you are acting as a phone referee, the [White Book](#), available on the EBU website, may prove useful.

In general, unless new information has come to light at the Appeals Committee stage, you should not over-rule the TD on findings of fact. If a TD, who was at the table soon afterwards and spoke to everyone at the time, has determined that there was a break in tempo, you should be reluctant to decide that there was not.

You may **not** over-rule the TD on a point of law or regulation, or in exercising his disciplinary duties, though you may **recommend** that he change his ruling.

Weighted scores: It has for some time now been the norm to award weighted scores (eg 20% of +100, 40% of - 50, 40% of -620). This reflects that we can rarely know with certainty the outcome of a hand under hypothetical circumstances. A weighted ruling may be given in most circumstances when it is uncertain what would have happened in different circumstances, except for claims and “Reveley” rulings (see below).

In general, you should not change a weighted ruling just to make a small adjustment to the percentages – it’s not an exact science, and as long as you agree with the fundamental aspects of the ruling, and the weighting isn’t greatly different from that you would have chosen, you should uphold the ruling.

Claims: Because weighted rulings apply when an assigned score is awarded ***in place of the score obtained in play***, they cannot be used for claims. When a claim is disputed, there is not yet a score obtained in play, until the director has decided the result.

“Reveley” rulings: If a player makes a call suggested by Unauthorised Information (UI), and there is a Logical Alternative to it, and they gain from it, the director will disallow that call. It follows that a contract reached by virtue of that call cannot then be part of a weighted ruling: we do not allow players to take advantage of UI 40% of the time (for example). However, it is possible for the same contract, reached by a different route, to form part of a weighted ruling. We might disallow a player from bidding 4S, but consider that his partner would nevertheless have bid 4S some of the time, even if the first player had passed.

Giving a worse score Although it is rare, you are allowed vary a ruling so as to give a worse score to a pair which has appealed a TD's decision. **In such circumstances you may well judge it right to keep the deposit.**

Decisions are passed from your committee to the TD who will then relay them to the players concerned. Players are not supposed to approach you afterwards to discuss your decision. This is for your benefit, and if you are consistent in sticking to this and refusing to discuss further, it will avoid unpleasantness in controversial cases.

If you are the Chair of the committee, please check the details on the front of the form have been completed by the director. Please write up your decision as clearly as possible on the appeals form. It may well be photo-copied and reviewed by the L&E committee, and shown to the players concerned if they ask. Clarity, in explaining your decision as well as in handwriting, will be appreciated by them.

Deposits are required to be taken by the tournament director, and you, the committee, **must** retain them if the appeal is without merit. As of 2016 there is a further sanction that is applied **in addition** to any appeals deemed to lack merit – a score adjustment of 25% (starting August 2018) of a top, or 6 IMPs, or 1 VP, depending on the form of scoring.

This system is designed to protect players' rights of appeal without giving them the freedom to waste the time of committee members. If you manage to come to a unanimous decision without much discussion, **you should be applying both sanctions given above** unless you have a very clear reason for not doing so. The new style Appeals Forms will ask you for this reason, and if you can't easily explain it, you should have applied the sanction! You should overrule any members of your committee who simply dislike keeping deposits.

Logical Alternative (LA)

The old "70% rule" disappeared when the 2007 Laws came in. The current laws say:

L16B1 (b) A logical alternative is an action that a significant proportion of the class of players in question, using the methods of the partnership, would seriously consider, and some might select.

The White Book says (emphasis added):

8.16.6 Logical alternative

8.16.6.1 Is an action a logical alternative (an LA)?

When deciding whether an action constitutes logical alternative, the TD should decide two things.

*1. The TD must decide **whether a significant proportion** of the player's peers, playing the same methods as the player, **would seriously consider the action.***

*What is a 'significant proportion'? The laws do not specify a figure, but the TD should assume that it means **at least one player in five.***

If fewer than about one player in five of a player's peers would consider the action then it is not a logical alternative.

Serious consideration is more than a passing thought.

*2. If a significant proportion would consider the action, then the TD must next **decide whether some would actually choose it.** Again the Laws do not specify a figure for "some", and the TD should assume that it means more than just an isolated exception.*

If no-one or almost no one would choose the action having considered it, the action is not an LA. Serious consideration is more than a passing thought.

Polling: in many cases, the TD will have polled people to determine whether an action was an LA, or whether UI demonstrably suggested a particular action. The members of the AC can add their opinions to the poll, but they should not normally substitute their opinion in place of the poll results. That might be appropriate if the TD has asked the wrong question, or if the pollees were not of similar standard to the player at the table. But if the AC is going to amend a polled decision, it should record the reasons on the form.

More Information

The EBU compiles annual digests of appeals, and these can be found online, together with other documents that may be of interest, at <https://www.ebu.co.uk/laws-and-ethics/laws-ethics-publications#appeals>

Below are three examples which illustrate various points that Appeals Committees should take into account when dealing with an appeal either as Appeals Chair or as a phone Referee.

Example 1.

This is an example of where the Appeals Committee used flawed logic to come to their conclusion. The TD had conducted a poll and formed a judgement under law 16 B 1(b). The committee should have paid more attention to this. The fact that they would all have bid is not sufficient grounds to overturn the TD. However, the fault was probably the TDs in that he did not ask players who were 'among the class of players in question and using the methods of the partnership'. Had the TD done so then he may have found that all players would have taken action.

So the Appeals Committee found the correct ruling but for the wrong reason. It's not that they would all have taken action but that players of like standard of West would all have done so.

Note that the TDs ruling includes a 'weighted ruling' as Law 12C1(c) allows.

<p>♠ KQ4 ♥ AKQ6 ♦ 874 ♣ K65</p> <p>♠ 10953 ♠ AJ62 ♥ 74 ♥ J1032 ♦ AJ632 ♦ 10 ♣ A3 ♣ J987</p> <p>♠ 87 ♥ 985 ♦ KQ95 ♣ Q1042</p>	<p>Board 8 : Dealer West : Love all : Matchpointed Pairs</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td>Pass</td><td>1NT(1)</td><td>Pass (H)</td><td>Pass</td></tr><tr><td>Dbl(2)</td><td>Pass</td><td>2♠</td><td>Dbl</td></tr><tr><td>Pass</td><td>3♥</td><td>3♠</td><td>All Pass</td></tr></tbody></table> <p>(1) 15-17 (2) Spades and a minor or 5 spades and 3 hearts</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>	Pass	1NT(1)	Pass (H)	Pass	Dbl(2)	Pass	2♠	Dbl	Pass	3♥	3♠	All Pass
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>														
Pass	1NT(1)	Pass (H)	Pass														
Dbl(2)	Pass	2♠	Dbl														
Pass	3♥	3♠	All Pass														

Result at table: 3♠-1 NS+50

Director first called: At end of play of the hand

Director's statement of facts:

When the hand was completed I was called to the table by South who asked me to review West's action following an agreed hesitation by East.

Director's ruling:

Score assigned for both sides:
50% +90 & 50% +120

Details of ruling:

Following a player consultation I concluded that Pass is a logical alternative and I am required to adjust the result to an assigned score. L16.1A, L16.1B and L16.3

Appeal lodged by: East-West

Basis of appeal: Pass is not a Logical Alternative

Director's comments:

The player consultation was made among a wide variety of age and range of experience and bridge knowledge. It is one of the largest consultations I have made prior to making a ruling and while some players were vehemently for or against, the majority considered Pass before deciding.

Comments by North-South: After the hesitation a logical alternative is to Pass. My partner is aged 22 agrees with this statement. (I might add that the opponents' comments could be construed as ageist.)

Comments by East-West:

Given that our system allows us to enter the auction with spades and a minor showing 5-4 either way and that we open all 11's, pass is not a LA for any competent player under 40 – at least at love all. None of the juniors whom I would have expected to have been polled say they have been asked. We have the best suit and fear a heart led from partner. Why play this system and then not use it?

Appeals Committee decision:

Table result restored. Despite all being over 40 we feel that bidding with the West hand is absolutely clear.

Example 2

In this example the committee quickly came to a unanimous decision that the appeal was a complete waste of everyone's time and correctly kept the deposit.

<p>♠ KQ86 ♥ 64 ♦ 876 ♣ K1097</p> <p>♠ A109732 ♠ J54 ♥ Q853 ♥ J10 ♦ 54 ♦ AKQ32 ♣ 5 ♣ A63</p> <p>♠ - ♥ AK972 ♦ J109 ♣ QJ842</p>	<p>Board 3 : Dealer South : EW vulnerable : Matchpoint Pairs</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><i>West</i></th> <th style="text-align: left;"><i>North</i></th> <th style="text-align: left;"><i>East</i></th> <th style="text-align: left;"><i>South</i></th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td>1♥</td> </tr> <tr> <td>1♠</td> <td>1NT</td> <td>2♥ (H)</td> <td>3♣</td> </tr> <tr> <td>3♠</td> <td>Dbl (H)(1)</td> <td>Pass</td> <td>4♣</td> </tr> <tr> <td>Pass</td> <td>Pass</td> <td>4♠</td> <td>Pass</td> </tr> <tr> <td>Pass</td> <td>Dbl</td> <td>All Pass</td> <td></td> </tr> <tr> <td></td> <td>(1) Penalty</td> <td></td> <td></td> </tr> <tr> <td></td> <td>(H) Hesitation</td> <td></td> <td></td> </tr> </tbody> </table>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>				1♥	1♠	1NT	2♥ (H)	3♣	3♠	Dbl (H)(1)	Pass	4♣	Pass	Pass	4♠	Pass	Pass	Dbl	All Pass			(1) Penalty				(H) Hesitation		
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																														
			1♥																														
1♠	1NT	2♥ (H)	3♣																														
3♠	Dbl (H)(1)	Pass	4♣																														
Pass	Pass	4♠	Pass																														
Pass	Dbl	All Pass																															
	(1) Penalty																																
	(H) Hesitation																																

Basic systems: East-West play Acol 12-14 NT

Result at table: 4♠x-1 by East West, lead – not provided

Director first called: At end of auction

Director's statement of facts: 1NT 8-10. North's first penalty double was agreed to be slow

Director's ruling: Score assigned for both sides: 3♠ doubled making by East West

Details of ruling: A slow penalty double expresses doubt. Pass is a logical alternative. L16B1

Appeal lodged by: North-South

Appeals Committee decision: Director's ruling upheld. The committee agreed that South had used UI to remove the penalty double which was slow. Deposit withheld.

Appeals Committee's comments:

South said he believed East had 4 trumps for his 2♥ (slow) bid but there is no evidence to support this. South had a defence (AK♥). We felt he used the UI to remove, we did not consider South made any valid points to indicate why he removed. The committee came to a unanimous decision quickly and withheld the deposit.

Example 3

This is an example which established a precedent which has stood the test of time for many years. The final paragraph by the Appeals Committee is extremely important.

<p>♠ 74 ♥ 3 ♦ KQ9 ♣ AKQ9754</p> <p>♠ AQ1032 ♠ KJ986 ♥ AKJ94 ♥ 10762 ♦ 7 ♦ A1042 ♣ 102 ♣ -</p> <p>♠ 5 ♥ Q85 ♦ J8653 ♣ J863</p>	<p>Board 10 : Dealer East : All vulnerable</p> <table><thead><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr></thead><tbody><tr><td></td><td></td><td>Pass</td><td>Pass</td></tr><tr><td>1 ♠ (1)</td><td>2 ♣</td><td>4 ♠</td><td>Pass</td></tr><tr><td>4NT (2)</td><td>Pass</td><td>5 ♥ (3)</td><td>Pass</td></tr><tr><td>5 ♠ (4)</td><td>Pass</td><td>6 ♠</td><td>All Pass</td></tr></tbody></table> <p>1. 4+ cards 2. RKCB 3. 2 controls out of 5, no ♠Q 4. Agreed hesitation</p>	<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>			Pass	Pass	1 ♠ (1)	2 ♣	4 ♠	Pass	4NT (2)	Pass	5 ♥ (3)	Pass	5 ♠ (4)	Pass	6 ♠	All Pass
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																		
		Pass	Pass																		
1 ♠ (1)	2 ♣	4 ♠	Pass																		
4NT (2)	Pass	5 ♥ (3)	Pass																		
5 ♠ (4)	Pass	6 ♠	All Pass																		

Result at table: 6♠ making by West, NS -1430

Director first called: At end of hand

Director's statement of facts: The fact of the hesitation had been agreed.

Director's ruling: Score assigned for both sides: 5♠ +1 by West, NS -680

Details of ruling:

Pass is a logical alternative (Law 16B1a)

6♠ is suggested over pass by the hesitation (Law 16B1b)

Appeal lodged by: East-West

Basis of Appeal: 6♠ is evident

Appeals Committee decision: Director's ruling upheld; Deposit returned

Appeals Committee's comments:

East has extra, undisclosed values, it is true. But the partner of a Blackwood bidder is normally expected to accept his partner's decision, and when that decision is after a pause for thought, it is not permitted to continue except when partner "cannot" have a hand on which slam will fail.