



**MINUTES OF THE MEETING OF THE EBU LAWS & ETHICS COMMITTEE
HELD AT THE IMPERIAL HOTEL, RUSSELL SQUARE, LONDON WC1
ON WEDNESDAY 7TH MARCH 2007**

Present:	Martin Pool	Chairman
	Mike Amos	
	Steve Barnfield	
	Max Bavin	Chief Tournament Director
	David Burn	
	Jeremy Dhondy	
	David Martin	
	David Stevenson	
	Sally Bugden	EBU Vice Chairman
	Barry Capal	EBU General Manager
	Grattan Endicott	Vice-President
	Gerard Faulkner	Vice-President
	John Pain	Secretary

1. Apologies for Absence Peter Stocken EBU Chairman

2. Minutes of Previous Meeting (January 10th 2007)

2.1 Accuracy

Corrections were made as follows:

- Peter Stocken was identified as EBU Chairman
- In 2.3.4 It was added that Mr Pool and Mrs Bugden withdrew for the item; suitor was replaced by suiter; sytem replaced by system.

The minutes of the meeting of January 10th 2007 were approved and signed.

2.2 Matters arising

2.2.1 Disciplinary case – ‘Jackal’

The secretary reported that a hearing had been arranged for March 27th 2007.

2.2.2 Disciplinary Case – ‘Rat’

Following a guilty plea, the secretary reported that a Disciplinary Committee would meet to decide on a sanction on March 8th 2007.

There was discussion on whether the defendant should have been invited to the meeting. The secretary said that the Disciplinary rules did not make it clear that the defendant should have been

given the opportunity to attend. Mr Martin and Mr Faulkner were of the view that English Law meant that this should have been done, but Mr Bavin was not so sure – a lot of money had been spent on producing revised Bye Laws incorporating the Disciplinary Rules. Were we sure that the rules were not correct? It was agreed that the matter should be referred to the board. In the meantime the General Manager contacted the defendant who confirmed that he had submitted all he wished to and did not wish to attend.

2.2.3 *Item 2.3.4 in the minutes of January 10th*

Mr Pool reported that when he presented the minutes to the shareholders meeting the phrase 'self serving' had been questioned. It was agreed that the phrase was an accurate statement of what had been said. The committee added the additional comment 'We found North's argument to be unconvincing'.

3 ***Technical matters***

3.1 *Arrangements for a player with epilepsy*

Mr Stevenson raised the case of a member with epilepsy who requested guidance on the length of breaks between stanzas in matches played privately. In Swiss events breaks of up to 15 minutes were often available but in private matches the break may only be four or five minutes. Such short breaks were not adequate for him to recoup his physical resources.

Committee members referred to the White Book Section 141 – Accommodating disabled players, and the arrangements were considered adequate. Mr Endicott suggested that the player should give notice of his requirement for longer breaks and Mr Dhondy said that in such a case his team should be prepared to start the match earlier. Mr Stevenson that such requests were equivalent to asking the Chief TD at an event to make special arrangements.

3.2 *Enquiry from David Newton re: Rule of 23*

A question from David Newton on how to announce his 2♥ and 2♠ natural opening bids which conformed to rule of 23 was discussed. Under the current regulations it could not be called strong and neither was it intermediate. Mr Amos proposed and Mr Stevenson seconded that he should describe the opening as 'Intermediate or Strong' including whether it was forcing or non-forcing until July 31st 2007. A subsequent decision in 3.6/3.7 would clear up the problem from August 1st 2007.

3.3 *06.050 Psyche from the Pachabo*

The committee considered further correspondence from a member whose actions had been judged as a red psyche where he had asked three grand masters for their opinion on the auction. The committee did not wish to change the category. The secretary was to write and thank him for the letter.

3.4 *Correspondence from Drene Brown*

The committee considered further correspondence from Drene Brown regarding announcements and the hard of hearing, but had nothing further to add to previous replies on the matter.

3.5 *Correspondence from Peter Wallace*

The committee considered correspondence from Peter Wallace about the introduction of announcements and the new alerting procedures. This was merely one of a very large number of comments that had been received.

Mr Faulkner asked whether the August deadline for complying with the new regulations was to be relaxed. Mr Pool said that following a meeting of the EBU Chairman, EBU Vice Chairman, General Manager, Vice Chairman of the Laws and Ethics Committee and himself it was recommended to the L&E that the period of adjusting to the new procedures would be extended to August 1st 2008. The Committee accepted this.

Mr Burn said that what was most important was that players told their opponents what they were doing – whether they alerted when they should announce or the other way round was less important providing they told them in one way or the other.

Mrs Bugden said that a consultation with the membership was important. A consultation period was about to start when she, together with either Mr Pool or Mr Dhondy, would be visiting four or five clubs. One of the clubs to be visited had submitted a 107 signature petition requesting the EBU to abandon the new system of Announcements seeing them as a retrograde step. The secretary passed the petition to Mrs Bugden.

Following the consultation it was intended to run an online survey. Hopefully the membership would see this as the EBU listening and firm proposals could then be made. Mr Barnfield was concerned about the nature of the information gathered – would it be anonymous, named, from clubs or counties. The sources needed to be credible.

Mr Dhondy said that the timescale was important and Mrs Bugden said she hoped to have everything complete by September. Mr Dhondy suggested this would be too late to implement under current date guidelines. Mr Stevenson said August 1st was only the deadline for introducing new permitted methods and other changes had been linked to that date but did not need to do so. Mr Endicott observed that when the new laws were promulgated it was likely that NBOs would have a time window when they could introduce the new code and perhaps revisions to the Orange Book should be linked to that date.

3.6/3.7 *Extended rule of 25*

Correspondence from Michael Beach criticising the extended rule of 25 and a hand from the Tollemache final which breached the extended rule of 25 were considered.

Mr Amos said the current regulation was inappropriate and he felt as a National TD he was having to defend the indefensible.

The hand from the Tollemache final was

♠ 4
♥ A Q J 10 9 8 7 2
♦ Void
♣ A J 5 3

The committee agreed that this hand should be allowed to be opened an artificial strong two. Under current regulations it was only Rule of 24 and 12 HCPs so it failed on both counts. The hand could be opened a natural 2♥ provided it was not described as 'strong'.

Mr Stevenson said that there was not a problem with Acol 2's but artificial bids needed to be regulated. He added that over time people had moved towards opening a hand that was strong or pre-emptive with 8 playing tricks – both types of hand were being described as 8 playing tricks and this could be misleading to opponents. Mr Dhondy shared the concern over natural and artificial – either the regulation should be loosened slightly or deregulated completely.

Mr Martin suggested that the old definition of a 2-opener as a 'hand of power and quality' would be sufficient, leaving TDs to judge but Mr Amos said that TDs may judge differently which would make the regulation look stupid. Mr Burn said disclosure was the key. Mr Capal said that the membership did not understand nor were they particularly interested and would carry on anyway.

Correspondence from Brian Senior was considered and some of his wording was incorporated into a proposal from Mr Bavin, seconded by Mr Pool that the following revised wording be adopted:

The paragraphs in the Orange Book 11G3(a), 11G6(b), 11G10(b), 11H6(a) defining the conditions for opening strong two bids should be deleted and be replaced by:

Strong:

- a) any hand of at least 16 HCPs or*
- b) any hand meeting the Rule of 25 or*

- c) *subject to proper disclosure, a hand that contains as a minimum the normal high-card strength associated with a one-level opening and at least eight clear cut tricks.*

Suitable wording to be devised to replace paragraphs 11G4(b), 11G8(b), 11G12 (b), 11H9(b).

This was carried nem com.

The committee next considered when such changes should be made. After discussion it was voted by 5 votes to 2 that the implementation date should be August 1st 2007. This would allow time for the change to be published in *English Bridge*, on the website and elsewhere.

Mr Dhondy asked that for the next meeting a discussion on whether Stayman should continue to be announced or whether transfers currently announced as ‘hearts’ or ‘spades’ should be replaced by the single word ‘transfer’.

3.8 Changes to Disciplinary Procedures

Mr Pool said that some complaints took far too long to be dealt with and it was acknowledged that a full hearing could take a long time to be heard. However another way had been suggested to the board. Instead of there being only two options – ‘hearing’ or ‘no hearing’ a third option of something similar to a police ‘caution’ might be made available. If the member was prepared to accept a ‘caution’ for a set time it would not be necessary to proceed to a full hearing. If the member did not accept the ‘caution’ the matter would continue to a full hearing. Some members of the committee were concerned that this could be seen as plea bargaining and Mr Martin wondered how such cautions would be published – with or without names.

Mr Pool said the board would consider the matter further.

3.9a EBU Model Club Constitution

Mr Faulkner said that in discussion with a club the EBU model constitution had been found lacking in its advice on how to deal with disciplinary matters and he recommended certain changes to bring it more in line with the current Disciplinary Procedures. Mr Faulkner would produce an annotated copy of suggested changes. He also noted that the current document said Version 3 – July 2006 and was identical to the version 2002 on the website. The secretary said he had changed the date when revising the presentation (not the content). Mr Stevenson suggested three minor alterations:

- a) In Clause 4, he noted that not all Counties were called ‘County Contract Bridge Association’. It was suggested to delete the words ‘*County Contract*’ and adjust the note accordingly.
- b) In Clause 9.11, there was a note to reference [17] which was the wrong note. It was suggested that [17] be deleted
- c) Note 15, page 8. Delete the words “*It should probably go without saying that*” from the beginning.

Agreed.

(Subsequent to the meeting Mr Faulkner suggested a change to be added to the end of Clause 15.2:- the Committee to discuss it next time).

3.9b Model County constitution

Mr Pool said the revised Sussex County constitution was intended to become a model version for other counties but that Sussex were not quite there with it yet.

3.10 Official Complaint Form

The secretary showed the official complaint form he had devised. One amendment was suggested. The form is attached as Appendix A.

3.11 Alternative Orange Book for clubs

It was agreed to wait until the consultation period was over before looking any further at this.

3.12 *Moscito system*

The committee considered correspondence about the use of *Moscito* in events such as the NICKO. As nearly all events were now played at Level 4 it meant that *Moscito* was now permitted in events that were previously Level 3. The committee considered that it was a Tournament Committee matter.

3.13 *Further correspondence on announcing and alerting*

Correspondence had been dealt with under item 3.6/3.7

4 *Appeal to the National Authority*

None this time.

5 *Application for a new permitted method*

5.1 *Application from Neil Prebble*

Mr Prebble had applied for permission to use a new method. He asked for permission to use an opening 2♣ bid to show a hand with a solid major suit and 8-8.5 playing tricks as well as its more traditional stronger meanings – such as ♠7 ♥AKQJ9873 ♦J104 ♣3.

Following the decision taken in Item 3.6/3.7 Mr Prebble's request would now be covered by the revised arrangements for strong 2-openings, so there was no need to consider his method in isolation. The secretary would write accordingly.

6 *Disciplinary matters*

6.1 *Disciplinary case – 'Vole'*

The committee considered correspondence and the secretary was instructed to find out whether a) it amounted to an official complaint and b) whether certain email correspondence was in the public domain.

6.2 *Best Behaviour at Bridge*

Mr Amos raised the question of how BB@B was being interpreted – for example were there now automatic penalties for mobile phones ringing in the playing area. He also felt that after a high profile launch the BB@B leaflet was now rarely seen and that players were still, largely, uncomfortable at calling the TD for bad behaviour. It tended to be done afterwards which made the possibly of dealing with it at the time less effective. Mr Barnfield said that guidance on what penalties to apply would be welcome and Mr Dhondy just wanted to see consistency.

Mr Stevenson and Mr Faulkner both agreed that the question of mobile phones was a Tournament Committee matter.

Mrs Bugden said that posters of the guidance should be sent with the stationery to all events and the TD in charge was expected to remind players at the start. The guidance was to be published in the new EBU diary.

6.3 *TD report from Harrogate Spring Congress*

Mr Stevenson withdrew for this item.

The committee considered Mr Proctor's Chief TD report on an incident at the Harrogate Spring Congress where a player was disqualified and another fined. There were two witness statements from other players. The secretary was instructed to write to both players who were disciplined inviting their comments and to the two witnesses advising them of current progress and inviting further observations.

Mr Martin enquired whether disqualification would always be mentioned in the TD's report and Mr Bavin said that it should.

7 Reports from Tournament Directors

7.1.1 07.001

Dealer East, EW Vulnerable

Scoring: IMPs
to VPs

North

♠ void
♥ 8 6 5 2
♦ A 9 8 7 6
♣ A 8 7 5

West

♠ A 10 8 7 4
♥ A J 9
♦ J 10
♣ Q J 2

East

♠ 9 6 3 2
♥ K Q
♦ K Q 3
♣ K 10 9 6

South

♠ K Q J 5
♥ 10 7 4 3
♦ 5 4 2
♣ 4.3

Bidding:	West	North	East	South
	Bid out of turn		pass	pass
	3NT	pass	pass	pass

Result: 3NT ✓ by West = -600 Lead ♦7

TD first called: After West's bid out of turn

Director's statement of facts:

I was called to the table after West had attempted to produce a bid from the bidding section of the bidding box. I ruled that an opening bid out of turn had been made, even though the denomination and level of the bid was unknown. I explained the relevant provisions of Laws 29 and 31B. During this explanation there was some confusion as to whether the offender or the offender's partner would have to pass throughout if the opening bid out of turn was not accepted. This was because there was some preconceived notion by some of the players that it should be the offender and I had to emphasise that it would be the offender's partner. North now decided not to accept the opening bid out of turn and the auction proceeded as shown. North/South called me after the completion of the play as they felt that normally East/West would reach the doomed 4♠ contract and that in their opinion during the explanation of the ruling East had indicated that she held a hand that would have bid, given the opportunity.

Details of ruling:

I was satisfied that the discussion (before the opening bid out of turn was not accepted) gave no indication of the values within East's hand. The discussion was purely a clarification of what is a somewhat complex and fairly infrequent ruling with which the players were unlikely to be familiar. The final opening bid by West I did not consider to be remarkable as West has the authorised information that that partner is required to pass throughout so needs to make a guess of a final contract. Part score, game or slam are all possible and opener will often choose the middle of these. That 3NT should make and 4♠ not, I considered to be 'rub of the green'. (Laws 29 and 31B for initial ruling, Law 16 for subsequent ruling).

Appeals Committee's decision:

That East/West were forced to make a decision after the irregularity, but see the reasons that follow.

We felt that when North/South were asked to make a decision they had not been told what West's opening bid out of turn was. This, we felt, was TD error, so North/South should gain

3IMPs and East/West should keep their score as they were asked to guess and got it right. We did not consider West was in receipt of unauthorised information.

L&E comment: The bid out of turn had been made and should have been placed on the table.

OB 7B2 .. A call is considered made when removed from the bidding box with apparent intent.

Mr Bavin noted that when the new code of laws is published later in the year it may be necessary to revisit bidding box regulations, perhaps adopting the regulation that a call is considered made when placed on the table and released.

8 Any other business

8.1 Articles for English Bridge

Mr Stevenson raised the question of articles he had started to write for *English Bridge* some four years ago which were designed to show L&E matters in a more friendly light. Recently the articles had been delayed or disappeared completely and he had received no answer to email requests for the reason. Consequently he now withdrew the offer to write further articles.

Mrs Bugden said as Chairman of the Editorial Board, she was sorry for any upset that had been caused; the email replies had been sent (others confirmed they had received them) and would be sent again. There were now clearer lines of communication between contributors and the editor. Mr Stevenson thanked her and would check his inbox to see where the email replies might have gone.

(Mr Stevenson contacted Mrs Bugden after the meeting by email to inform her that he had inadvertently blacklisted her email address. Mrs Bugden then forwarded the emails that she wrote on 8 November and 12 December 2006 and 30 January 2007 in response to his queries about articles for English Bridge).

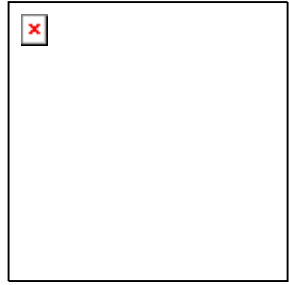
8.2 Abuse of Committee Members

Mr Stevenson reported that he had been verbally abused on several occasions when playing in tournaments – not usually at the table but during breaks in play, regarding L&E matters. Mr Dhondy, on a point of order, said that the Committee should only discuss the matter in general terms which was agreed. The Committee advised that all members of the EBU, players, staff and TDs were entitled to be treated courteously and that, if not, the best action was to summon a TD as soon as possible. Best Behaviour at Bridge applied on these occasions.

9 Date of next meeting

Wednesday 16th May at 1.15pm. The Park Room, Imperial Hotel, London W1.

(The preferred venue - McAlpine's was not available).



Appendix A

Official Complaint Form

By completing and returning this form you are asking the Laws and Ethics Committee of the English Bridge Union to conduct an investigation into the conduct and/or behaviour of the person complained of (the Defendant) under section 7.1 of the Disciplinary Rules of English Bridge Union. Please use a separate form for each person complained of.

Name of person making the complaint: _____

Address of person making complaint: _____

Tel. No : _____ Email: _____

Date of alleged offence: _____

Name of Person complained of (Defendant): _____

Address of Defendant (if known) _____

Details of the complaint or other matter:

(continue on a separate sheet of paper if necessary)

Name and address of any witnesses who may be contacted in support of the complaint:

Witness 1: _____

Witness 2: _____

I authorise the Secretary of the Laws and Ethics Committee to write to the Defendant seeking the Defendant's comments on the substance of the complaint or matter that has been raised. I understand that my name may be disclosed to the defendant. I also authorise the Secretary to contact the witnesses I have listed above to provide additional evidence.

Signed : _____

I understand that, following the initial enquiries (whether or not comments have been received from the Defendant within a reasonable time) the Laws and Ethics Committee may refer the matter to the County Association of which the Defendant is a member or consider whether or not to charge the Defendant with an Offence.

Full details of the whole disciplinary procedure are available in the Disciplinary Rules of the EBU Ltd. A copy of the rules will be provided to any person making a complaint and to the Defendant.

Signed: _____ Date: _____