



**MINUTES OF THE MEETING OF THE EBU LAWS & ETHICS COMMITTEE
HELD AT YOUNG CHELSEA BRIDGE CLUB, GOLDHAWK ROAD
ON WEDNESDAY MAY 23RD 2018**

Present:	Heather Dhondy (HD)	Chairman and Elected Member
	Robin Barker (RB)	Deputy Chief Tournament Director
	David Burn (DB)	Elected member
	Jeremy Dhondy (JD)	EBU Chairman
	Richard Fleet (RF)	Elected member
	Frances Hinden (FH)	Vice Chairman and Elected Member
	Martin Pool (MP)	Elected Member
	Gordon Rainsford (GR)	EBU CEO
	Tim Rees (TR)	Elected Member
	Ian Mitchell (IM)	Secretary

1	<i>Apologies for Absence</i>	Alan Wilson (AW)	Elected Member
		Ian Payn (IP)	EBU Vice Chairman

2 ***Minutes of the previous meeting and accuracy***

2.1 ***Accuracy***

GR noted that there was a redundant question mark in paragraph 7.2; this had been raised previously by e-mail, but missed by IM. HD recalled that AW had raised a possible issue by e-mail, but couldn't remember the nature, and wondered whether IM had also missed that amendment.

[IM has subsequently checked, and confirmed that the correction suggested by AW had indeed been made.]

Subject to the above, the minutes were approved and signed.

2.2 ***Matters arising***

2.2.4.8 DB reported that the amendment of the Model Constitution was a work in progress. The committee was reminded that the specific reason for an amendment was to include a statement about whether or not the findings of an appeal against a disciplinary ruling can be considered not binding.

4.1 MP reported that a draft document containing advice to disciplinary committees had been passed to David Harris for his approval, and he was awaiting a response. HD requested that MP chase up Mr Harris.

Action: MP

JD reported that the issue about monetary fines had been on the agenda for a board meeting, but had not yet been addressed due to time constraints.

Action: JD

3 Appeals to the National Authority

None this time

4 Disciplinary Cases

- 4.1 The committee noted the conclusion of a case where a player had been excluded from a club ‘without due process’, but that the club had no constitution and no defined process to follow. Whereas the player was no longer contesting the decision, he had written to the L&E to question whether it was appropriate for the EBU to allow clubs to be affiliated if they had no constitution, and their members were afforded no rights.

The committee had already confirmed that the EBU’s position was to ‘strongly encourage’ clubs to have a constitution, and that they were nevertheless subject to the laws of the land. They wondered whether the terms of affiliation should include a default process for disciplinary (& other) matters in the case where clubs did not have a constitution.

The committee agreed that this was a matter for the board, and asked JD to refer this.

Action: JD

- 4.2 (Galois)

HD invited FH to take the chair for this item, and another member withdrew. HD advised the committee that she had a mild, indirect link to the case, and FH reminded members that they needed to be “super-careful” when it came to potential conflict of interest.

A complaint had been made alleging inappropriate comments on social media, directed at a member of a different standing committee, and relating to conflict of interest.

There were many comments that criticised the decision-making of the other committee, but the L&E committee considered that there was no issue with that. The issue was with one particular comment that allegedly questioned the complainant’s integrity. The comment was removed as soon as the poster became aware, very shortly after posting the comment, that it was based on misleading information from a third party. They also sent a private apology by e-mail to the complainant, and acknowledged that they should have been more careful about checking their facts before making the comments.

The committee concluded that no further action should be taken on this case.

Action: IM to inform both parties

- 4.3 (Hilbert)

A member had been accused of inappropriate and abusive e-mails to two other members who had both made complaints. A letter had been sent to the member to invite his comments, and a reply received. The Committee had decided to refer the case to the Prosecution Panel, and the secretary reported that a committee of three had been selected and were considering both complaints.

5 Technical Matters

- 5.1 RB had circulated some proposed changes to the White Book.

§1.1 It had been agreed at the last meeting to amend this to “when attention is drawn to an irregularity, players are required to call the TD”.

§2.8 The issue of disciplinary penalties had been raised at the last meeting. It had been noted that the ACBL & EBL had a ‘standard’ amount of 25% and 50% of a top respectively. The committee agreed that the EBU standard amount should be increased to 25%, 6 IMPs or 1VP (on a 20-0 scale). The committee noted that the correlation between IMPs and percentage at MPs need not be linear.

GR observed that the adjustment to be applied alongside a forfeited appeal deposit currently stood at twice the standard amount. TR suggested that this should not be increased accordingly. The committee agreed that the standard amount should apply (which would involve an increase from 20% to 25%, but no increase for IMP or VP scoring).

§8.86.4 A section is to be added to address the application of law 86B1 at teams-of-eight. RB also reported a discussion with a panel TD about its application. The committee were content that the stance of RB, supported by GR, had been correct.

FH reported a discussion about claims, in which there was some disagreement about whether a claimer should be allowed to 'wake up' to a bad break after an opponent shows out. For example, a declarer makes a claim, including the assumption that a suit of AKQJx opposite xx is 'good'. When adjudicating the claim, should the TD allowed declarer to vary his line when one opponent shows out on the second round? RB agreed to include some guidance in the WB.

Action: RB

- 5.2 Whilst preparing a paper on "Extremely Serious Errors" and related topics, FH concluded that the White Book had already covered most of what she had to say. She had made some proposed amendments to the existing text in the White Book, but the main thrust was the emphasis on "Would they have got it right without MI" rather than "Should they have got it right anyway".

IM agreed to circulate the suggested changes to those members who had not yet seen them, but in the absence of any corrections they would be incorporated in the White Book.

Action: IM/FH/RB

- 5.3 RF presented an argument that, at level 4, there should be no High-Card restriction on 1-level natural opening bids and overcalls. He confirmed that this was not an issue about the methods of hand evaluation, but that regulations should focus on disclosure rather than dictating what players may or may not do when bidding naturally.

FH asked on whose behalf RF was proposing the change. In the absence of any specific request from players, she felt that there was no need to make any changes. DB considered that allowing the change would require significant modifications to the Blue Book and would need detailed review.

The committee decided against the changes.

- 5.4 Following a brief discussion at the previous meeting about take-out doubles [principally after a natural suit overcall] that might carry additional information about suit lengths, DB had been invited to produce alternative wording to clarify alerting.

DB reported that he considered that a problem lay with opponents having to distinguish between a double being alerted because it was for penalty, and a takeout double being alerted because of a distributional constraint. He suggested that the distinction could be made by penalty doubles being announced, and that take-out doubles be alerted whenever they expressly promised or denied some distributional feature

RF proposed the 'Scottish' regulations (whereby doubles are not alerted regardless of their meaning). The committee rejected this.

JD said that he had little confidence that the public understands the existing regulations. GR suggested that the current regulations be retained, but clarified.

HD suggested that no change should be made for this August, but that discussions should continue.

- 5.5 Following discussion at the previous meeting, HD had circulated a summary of proposed changes to announcing regulations. She proposed that, having identified which suggestions had merit, the committee vote on whether to make wholesale changes or none.

FH reported that she had received a late request that announcements of natural 2NT openings be discontinued, on the grounds that they were of little benefit to opponents, and potentially gave UI both to partner and to nearby tables.

RF proposed that all announcements should be discontinued. The committee voted against this by a large majority, though one member observed that their 'no' vote was based on their objection to a reversal, not that they approved of the original introduction of announcements.

The committee were divided on the merits of the proposed changes, and voted 5-2 in favour of retaining the current regulations.

5.6 More correspondence had been received regarding the new definitions of "Strong".

The committee acknowledged that the regulations still fell short of being ideal, and considered alternatives.

One suggestion offered was the current WBF definition [simply "13+ HCP"]. Another was to remove any restrictions.

The committee confirmed that the main objective of the regulations was shifting towards proper disclosure rather than restriction of methods.

The committee agreed to retain the status quo for one more year, whilst attempting further education on disclosure. HD & DB agreed to work on some educational articles for English Bridge.

Action: HD/DB

5.7 JD presented an argument for discontinuing the use of the stop card; players were still not following correct procedure, even after several years of regulation, and the failure to follow procedure was used as a tool for experienced players to belittle less experienced players. There were also potential issues of Unauthorised Information that would be removed.

He clarified that he was not proposing the discontinuation of the 'stop' procedures, i.e. the requirement to pause for 10 seconds following a skip bid, but only the use of the card itself.

GR felt that players would misunderstand the change in regulation, and would assume that they were no longer required to pause for 10 seconds.

TR suggested that whatever the failure rate of correct procedures being followed under the current regulations, they could not possibly be improved if the stop card were not used. FH agreed that this would only work if the requirement to pause were also removed.

DB suggested that a better course of action would be for players to be better educated with regard to procedures and the implications of Unauthorised Information.

RB was invited to include an item on the subject in the "Ask Robin" feature in English Bridge.

Action: RB

[Further action– IM. Many items in section 5 are to be re-visited at the equivalent Committee Meeting next year]

6. Applications for new permitted methods

The secretary had circulated a request from a member regarding the use of the "Vienna No Trump", to show any 16+ hand, in defence both at the 1- and 2- level. The secretary noted that any defence was permitted at the 2-level. It was less clear at the 1-level, but given that it was a forcing bid, it could be justified on the grounds that it was a (strong) "take-out".

The committee agreed with this interpretation under the current regulations. [IM has written to the correspondent confirming this interpretation].

7. Reports from Tournament Directors 18.001 to 18.006

Before considering the hands, HD asked the committee whether they were content for TR & FH to continue to vet TD reports in advance of meetings. The committee agreed.

There was very little comment on the reports this time. Most comments related to the filling in of the forms. FH had observed that on form 18.001 the TD had not confirmed the adjustment applied for a Red Psyche, and it was noted that the box where the TD was expected to record this was missing on the form. This, it emerges, is because the 'electronically generated' form available to TDs was based on the old format, and needs updating. GR would work with RB & IM to rectify this. [secretary's note: GR reports that this has been done]

<p>♠ J10942 ♥ Q10843 ♦ 8 ♣ 95</p> <p>♠ A3 ♠ Q75 ♥ 65 ♥ K92 ♦ K964 ♦ AJ102 ♣ QJ872 ♣ AK10</p> <p>♠ K86 ♥ AJ7 ♦ Q753 ♣ 643</p>	<p>Board 27: Dealer South: Love All.</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">West</th> <th style="text-align: left;">North</th> <th style="text-align: left;">East</th> <th style="text-align: left;">South</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td>Pass</td> </tr> <tr> <td>Pass</td> <td>1♠*</td> <td>1NT</td> <td>2♠</td> </tr> <tr> <td>3NT</td> <td>Pass</td> <td>Pass</td> <td>Pass</td> </tr> </tbody> </table> <p>*psychic action.</p> <p style="text-align: center;">Table Result: 3NT +1 by East Lead: ♠6</p> <p>[Psyche classified as Red]</p>	West	North	East	South				Pass	Pass	1♠*	1NT	2♠	3NT	Pass	Pass	Pass
West	North	East	South														
			Pass														
Pass	1♠*	1NT	2♠														
3NT	Pass	Pass	Pass														
<p>Director's Comments:</p> <p>Other players of a similar standard to South who were polled would have taken stronger action than 2♠.</p> <p>Having 10 points opposite a partner who has opened the bidding, passing 3NT allows for partner having psyched.</p>																	

RF took the view that the psyche was not Red. TR suggested that the final pass of 3NT may not be treated as fielding, but failure to double the 1NT overcall should be.

8 Any Other Business.

8.1 FH led a discussion on social media policy. Previously the committee had decided that no policy was required. FH firstly made some observations:

- (a) that any policy should not be restricted to online social media. These should be treated no differently to any written publications.
- (b) anybody should in principle be entitled to disagree publicly with EBU decisions and policy, but that
- (c) comments are not immune from Disciplinary measures.
- (d) advice is already in place for TDs, etc., regarding “Live” cases.
- (e) confidentiality must be respected.

FH then questioned whether TDs, employees and members of standing committees had any further responsibilities. As some examples, she wondered whether it was acceptable for a committee member...

- (i) ...to publicly criticise a decision made by that or another committee;
- (ii) ...to say “I disagree with this decision, but I agree to abide by it”
- (iii) ...to say “I disagree with this decision, and I am not going to abide by it”.

The committee agreed that a policy was required and suggested that the board looked into this. They noted that there may be some small difficulty in retrospectively changing the conditions under which members had volunteered to serve. The policy may need to be different for employees of the EBU rather than volunteer members of committees.

Action: JD

8.2 GR reported that as part of ongoing “Data Protection” updates, he had contacted all existing members of the panel of referees to confirm that they wished to continue on the panel. He reported that one member had actively decided to come off the panel, and another had not replied, and therefore GR felt obliged to remove their contact details from the published lists.

As a result, GR felt that new members were required, and proposed to invite Mike Bell. After a short discussion, the committee agreed.

Action: GR

8.3 2015 Appeals booklet

IM reported that after a couple of false starts, he had received comments from all the expected contributors, & that he would work on publishing this shortly

TR asked about dissemination. The booklet would be sent automatically to TDs and panel of referees, and would be available online to the general public. TR suggested that there were some local TDs who would like to be notified. IM saw no reason for there not to be an appropriate mailing list.

Action: IM

9 Date of next meeting

As a result of an online poll (“Doodle”) in advance, the next meeting was fixed for Wednesday 24th October 2018 at 1.15pm. The venue to be confirmed...

[Confirmed as Young Chelsea Bridge Club, Goldhawk Rd, Shepherds Bush.]

The meeting closed at 4.45pm.