



**SUMMER MEETING 2001
SPRING FOURSOMES 2001
CROCKFORD'S FINAL 2001**

APPEALS

Edited by David Stevenson

ENGLISH BRIDGE UNION

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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 people in England are ruling the game.

After the success of the 2000 edition it was decided to repeat this publication, and extend it to two other events, both top class. 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. Most of them 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.

Thanks are also due to Liz Stevenson who did most of the typing.

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APPEALS

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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 Merseyside, England. He has served as a member of the Tournament Appeals Committee of the World Bridge Federation. He is a member of the Laws & Ethics Committees in England and Wales. He is the Secretary of the European Bridge League Tournament Directors. Committee.

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.

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.

Matthias Berghaus is an EBL Tournament Director from Bochum, Germany. He is a member of the Committee for Rules and Regulations in Germany.

Fearghal O'Boyle is a recently appointed NCBO International 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.

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.

The L&EC does review all Appeals, and where there has been some official comment that is also included under the heading "**Laws & Ethics Committee comments**".

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Abbreviations

There has been an attempt to use few abbreviations. However, there are some, 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
UI	Unauthorised information
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
Dbl	Double
NT	No-trumps

ENGLISH BRIDGE UNION

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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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ENGLISH BRIDGE UNION

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APPEAL No 1: Don't you know a splinter?

Tournament Director:

Eddie Williams

Appeals Committee:

Heather Dhondy (Chairman) Alan Kay Brian Callaghan

Swiss Pairs Board no 2 Dealer East N/S vulnerable	♠AK732 ♥95432 ♦4 ♣102	
♠64 ♥KQ86 ♦Q3 ♣AJ754	N W E S	♠Q ♥AJ ♦AK1076 ♣KQ863
	♠J10985 ♥107 ♦J9852 ♣9	

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
		1♦	P
2♣	X	3♠(H)	X
3NT	P	4NT(A)	P
5♦	P	6♣	P
P	P		

Result at table:

6♣ making by West, NS -920

Director first called:

At end of hand

Director's statement of facts:

East intended 3♠ to be a splinter but partner did not recognise this and bid 3NT. East still wanted to play in clubs even though he knew his partner had taken 3♠ as natural. North queried why East had gone on after 3NT as that was surely a signoff. He also added that if 3♠ had been alerted by East he may well have bid 4♠ or higher

Director's ruling:

Score assigned for both sides (Law 12C3):

20% 6♠ doubled -3 by N/S, NS -800
+80% 6♣ making by West, NS -920

Details of ruling:

There is misinformation but little damage.

Appeal lodged by:

Both sides

Comments by North-South:

Perhaps East was always going to use Blackwood. However he did not use it immediately and the slam was frequently not bid. Had partner alerted and bid 3NT he might have had a very unsuitable hand with wasted values with a danger of having to play in 5♣ not 3NT at pairs. When partner did not alert he would not expect ♠ values.

Comments by East-West:

After my partner's 2♣ response I was always going to do Blackwood with such a strong hand. I did not take 3NT as a sign off particularly.

Appeals Committee decision:

Director's ruling upheld

Both deposits returned

Appeals Committee's comments:

We felt that although E was in receipt of unauthorised information, it was normal to bid over 3NT. Although N/S have been deprived of a chance to bid 6♠, it wasn't likely to happen in practice and so 20% seems about right.

David Stevenson's comments:

Misinformation cases are often very well suited to a weighted adjustment under Law 12C3 since a pair might have got it right with a correct information rather than certainly will, and a weighting expresses this well.

Laurie Kelso's comments:

There is no reference in the Director's report as to whether 3♠ was systemically a splinter, although he later says that misinformation was present. Of course Law 75D (footnote) instructs the Director to rule misinformation whenever he is in doubt regarding whether an action is a misbid or a misexplanation. East however is in receipt of UI when he does not hear the expected alert of what he believes to be a splinter. I essentially agree that Pass is not a LA for East and accept that bidding on over 3NT leads to 6♣. The weighted (Law 12C3) adjustment seems about right - providing West's failure to alert is an infraction. The write up does not suggest that the committee pursued this point. Alternatively if 3♠ was systemically natural, then no alert was required and N/S would then not be entitled to any percentage of 6♠!

Herman De Wael's comments:

I find the arguments from NS quite convincing. If 3♠ is alerted, then the 3NT response should indicate the ♠K rather than the ♥K. Now one ace seems rather thin, and perhaps East would try some other method than ace-asking to try and have West bid the club slam.

However, when the AC decide that East did not take advantage of the UI, it seems clear to allow some redress for the damage that might be caused by the MI.

Matthias Berghaus' comments:

I can't think of a hand that doesn't have a play for slam opposite a 2♣ response. Passing 3 NT is not a logical alternative in my eyes. How much protection N/S deserve after treating 3♠ as natural (especially North – where did South find a X if 3♠ is natural??) is best left to the judgement of the people who were there. From where I sit South's effort doesn't look especially ferocious.

East's comment could well find a place in a bridge player's dictionary under the heading "self-serving". Since when is 3NT in this sequence anything else but a sign-off?

Fearghal O'Boyle's comments:

I thought North made a good case. However decisions like this are now made after consultations with other TD's and players and so are well reasoned.

If East had been an Ace weaker we could question his decision to move on over 3NT.

All in all an equitable decision.

Ron Johnson's comments:

It seems to me that both the committee and the director were generous to North-South. I don't see anything approaching a 20% chance that North-South would have bid 6♠ with an alert of 3♠.

It would be helpful if the *Details of ruling* clearly stated that 3♠ was in fact a splinter. If it is not, there is in my opinion no basis for a score adjustment. Yes, East has unauthorized information (that West thought the call was natural) but that is only a problem if it's used.

I assume that the actual ruling is more along the lines of:

3♠ is in fact a splinter in the East-West methods and thus there was a failure to alert. North's contention that 3NT is surely a signoff by West misses the point that a signoff is hardly a command to pass. Pass is simply not a logical alternative for East at this point.

Further, the failure to alert hardly damaged North's chance to sacrifice after his partner had doubled 3♠.

I would have suggested a ruling of result stands. I would not advocate a procedural penalty for a failure to alert unless this was a regular partnership of a fairly high standard.

Editor's comments:

A good point was made by Laurie and Ron as to whether misinformation was really present. Everybody seems fairly happy with the decision, though Ron would not have adjusted at all.

APPEAL No 2: What about the queen?

Tournament Director:

Jim Proctor

Appeals Committee:

John Young (Chairman) Rob Cliffe Lizzie Godfrey

Swiss Pairs Board no 4 Dealer West All vulnerable	♠ Q9 ♥ QJ104 ♦ 97532 ♣ 98	
♠ AKJ63 ♥ 6 ♦ K4 ♣ KQ1076	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ 10874 ♥ K983 ♦ AJ ♣ AJ4
	♠ 52 ♥ A752 ♦ Q1086 ♣ 532	

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
1♠	P	2NT(A)	P
3♥(A)	P	4♣(A)	P
4NT(A)	P	5♥(A)	P
6♠	P	P	P

Result at table:

6♠-1 by West, NS+100

Director first called:

At end of hand

Director's statement of facts:

I was called by West. I ascertained the facts that before leading North had asked the meaning of all the alerted bids, bid by bid, and that the reply to the question about the meaning of 4NT was 'Roman Key Card Blackwood' and the reply to the question about the meaning of 5♥ was '2 aces out of 5'. North then said 'without the queen of trumps'. She said her intention was to complete West's incomplete explanation but West said it sounded like a question and West said 'Yes, without the queen of trumps'. West claimed that North's comment had influenced West's decision on how to play trumps

Director's ruling:

Table result stands

Details of ruling:

West is not an 'innocent player' (Law 73F2).

Appeal lodged by:

East-West

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

North's comments were not meant to be misleading. West took the risk to infer at her own cost. West should have given a complete explanation to the questions.

David Stevenson's comments:

West was really reaching for something when she appealed here, and it is surprising the deposit was not retained.

Laurie Kelso's comments:

I agree fully with the committee's decision and comment. The initial cause of West's distress was her own incomplete description of the 5♥ bid. The requisite conditions of Law 73F2 were not fulfilled, hence - No Adjustment.

Herman De Wael's comments:

Please communicate this appeal to a Belgian AC who once ruled exactly the opposite. If a ruling of this sort is not upheld, then it is a free shot for every declarer to omit the "without the queen" part. Just finesse towards the player who asks and then call the TD if he happens to have this queen that he was enquiring about. That trick should not work, and well done to the Director who is not swayed by bullying tactics. After a correct ruling, this appeal is so without merit that the deposit should have been kept.

Matthias Berghaus' comments:

Not much to add. Did West really think North just sold out his partner's queen of trumps?

Fearghal O'Boyle's comments:

I would need some convincing on the innocence of North's remark. The TD and the AC seem to have done a good job investigating the matter fully and are satisfied that there was no intention to deceive.

Even so I would have liked to see North offer some disclaimer immediately after the remark.

Ron Johnson's comments:

This has one of the best statement of facts that I've ever seen. It could serve as a model for others.

I've never really understood the standard used to decide to keep a deposit. Though I'm not a strong advocate of keeping deposits (or of the whole concept of deposits), this ruling seems absolutely clear.

Editor's comments:

Fearghal seems to have a different view from the rest. Surely people who answer questions incorrectly should not be permitted to gain therefrom?

APPEAL No 3: I hope you lose your money!

Tournament Director:

Mary Hart

Appeals Committee:

John Young (Chairman) Paul Gagne Paula Leslie

Swiss Pairs Board no 6 Dealer East E/W vulnerable	♠K1097 ♥J1062 ♦AJ ♣AK9										
♠542 ♥9 ♦10642 ♣J10632	<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>		♠J63 ♥Q75 ♦K97 ♣8754
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠AQ8 ♥AK843 ♦Q853 ♣Q										

Basic systems:

North-South play Acol, 12-14

East-West play five-card spade suits

WEST	NORTH	EAST	SOUTH
		P	1♥
P	1♠	P	2♦(H)
P	4NT(A)	P	5♥(A)
P	5NT(A)	P	6♦(A)
P	6♥	P	P
P			

Result at table:

6♥ making by South, NS +980

Director first called:

At end of hand

Director's statement of facts:

TD was called by West who explained there was a hesitation by South before the 2♦ bid. South did admit that he was thinking about the hand and then bid 2♦. TD ruled that N had his bid after the hesitation.

Director's ruling:

Table result stands

Appeal lodged by:

East-West

Comments by North:

We have not attended, as we have to meet our wives for dinner.

South thought about his bid as he is entitled to. North bid what he thought was a thin slam on the auction.

Comments by South:

This is a frivolous appeal and I hope you lose your money.

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

Though the 4NT bid was a shot there are many 11 counts where slam is solid. We believe that if 4NT wasn't allowed they could use 4SF and still get there.

As a matter of principle the committee was unhappy with N/S's comments and find them unhelpful.

David Stevenson's comments:

It does seem a frivolous appeal to me, and I wonder whether the Committee might have kept the deposit but for South's comment. It would seem more correct to keep the deposit but to issue a Disciplinary Penalty against South.

Laurie Kelso's comments:

I agree with the decision to retain the table result, but quibble with the committee's reasoning. The hesitation is indicative of a possible alternative rebid by South, but I don't believe it is suggestive of the action taken by North. North is free to take any action not suggested by the hesitation - how can a hesitation by South 'demonstrably' (Law 16A) suggest a non-minimum hand in this sequence?

I think South's (written) comments are rude and aggressive. If South had uttered these words in front of the committee, N/S might very well have received a penalty. Surely writing them on the appeals form also warrants a penalty!

Herman De Wael's comments:

Perhaps I am missing something. Did South show more than 12HCP? More than a 5-4 in the red suits? Does 5♥ show the ♥K? What does 5NT mean? Can anybody explain North's bidding without UI? Now of course if the TD can explain it, and you appeal, and then don't show up, you should indeed lose your deposit. But that's not up to N/S to decide.

Matthias Berghaus' comments:

Since we are into dictionaries, "unhelpful" can be found under "understatement". Blackwood could have been influenced by the hesitation, but the TD found "no damage" and I agree. 4SF was the least North could do, and after that slam should be reached.

Fearghal O'Boyle's comments:

It certainly looks like the 4NT call is suggested over other alternatives by the hesitation. Perhaps N/S will get to slam by another legal route as the AC suggest but this is not certain.

This looks an ideal time to wheel out Law 12C3 and give some weighted score to reflect the likelihood of slam being bid.

And of course South's comments are nasty and should be dealt with under Law 74A2.

Ron Johnson's comments:

Taking last things first, I'm glad that the comments of North and South made the record and that the committee went on record as finding them unhelpful. I would have hoped for stronger action though. It seems to me to merit a Conduct and Ethics hearing (or whatever the EBU calls the equivalent body)

This is conduct that really must not be accepted.

I find the ruling of both the director and the committee surprising. It is perhaps true that North-South would reach slam without North's taking control. But this ignores the point that North has unauthorized information and used it. This is simply never acceptable. Indeed, if North was an experienced player I would advocate a procedural penalty.

The director's comments seem to me to be a form of the oft-quoted (but very wrong) advice that when you have unauthorized information, ignore it and make the same call you would have made. Perhaps I'm reading far too much into such a brief statement of facts.

Whether North has his call is a matter of judgement, but is completely unimportant. Where there logical alternatives to the call? Yes, in fact I'm confident that 3♣ would get majority support in any poll.

Ron Johnson's comments (continued):

Did the hesitation make the 4NT call more attractive? Yes. North can be certain that South does not have a minimum red two-suiter. There's never any difficulty in producing a 2♦ call in tempo with that hand.

In my experience there are two common hand types for a slow 2♦ call here. A hand with the strength for a 3♥ but with a suit not quite good enough, or a non-minimum hand with three poor spades. Both make slam a reasonable gamble.

There is clearly an infraction. Were East-West damaged by it? I find it easy to imagine North-South missing slam after the 2♦ call. If the committee's judgement is that North-South would certainly get to slam after the 2♦ call, well I disagree but that's a bridge judgement. And it is worth noting that the committee is far more likely to be able to assess this particular pair (and their peers) than I am.

Still, given the available facts I would estimate at least a 1/3 chance that they would miss the slam after this start and would advocate an assigned score as follows: (using Law 12C3):

1/3 N/S +480

2/3 N/S +980

Reasonable people can disagree as to the probabilities, but the important matter is that in unauthorized information cases, "had his bid" or "could have got there" are not good enough.

Editor's comments:

There seems general agreement that South should have been dealt with for his comment. However, the commentators are sharply divided on whether the Appeals Committee should have adjusted the score.

APPEAL No 4: Why take out?

Tournament Director:

Chris Barrable

Appeals Committee:

Heather Dhondy (Chairman) Steve Capal Steve Eginton

Swiss Pairs Board no 7 Dealer South All vulnerable	♠92 ♥J2 ♦3 ♣AKQJ9863	
♠K ♥A6543 ♦J10542 ♣102	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠A863 ♥KQ9 ♦AKQ86 ♣7
	♠QJ10754 ♥1087 ♦97 ♣54	

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
			P
P	4♣	Dbl(1)	P
4♥	5♣	Dbl(2)(H)	P
5♦	P	6♥	P
P	P		

(1) Not alerted, not disputed, however was for take out

(2) Not alerted, but was made after hesitation

Result at table:

6♥ making by West, NS -1430

Director first called:

At end of auction

Director's statement of facts:

TD was called to table by North who reserved rights as a result of the agreed hesitation prior to the second double.

Director's ruling:

Table result stands

Details of ruling:

TD believes West will bid 5♦ after partner's second double in 70%+ cases. The first was takeout and even though not alerted is played as such. Law 16A.

Note by editor:

Under EBU regulations, all unalerted doubles above 3♠ are for penalties.

The definition of a logical alternative action in EBU events is one that at least 30% of a player's peers would find if playing a similar system and style. Thus if a call would be found by more than 70% of a player's peers there is no logical alternative to it and the call is considered evident. Note that the definition of logical alternative tends to be different outside the United Kingdom.

Appeal lodged by:

North-South

Appeals Committee decision:

Director's ruling upheld
Deposit returned

Appeals Committee's comments:

We felt that the 5♦ bid was clear cut. When 4♣ is doubled for take out the double of 5♣ can't be out and out penalties – just showing a good hand.

David Stevenson's comments:

Surely everyone will bid 5♦? There seems little merit in this appeal.

Laurie Kelso's comments:

Given that the double of 4♣ was takeout, I too think West's 5♦ is clear-cut under the UK definition of a LA. North's decision to rebid 5♣ after opening 4♣ was poor bridge and N/S earned their poor result.

Herman De Wael's comments:

Nothing to add. 5♦ is clear-cut.

Matthias Berghaus' comments:

While the missing alert didn't damage N/S (North didn't really believe in 10xxxx behind him, did he?) the slow second double makes 5♦ decidedly easier. Axxx, Kxx, AKQx, Qx bids the same way (only faster, probably) and beats 5♣ 800 in top tricks. Much better than -100 in 6♥. I would rule 5♣x -3 and would expect the AC to uphold my decision. I don't think 5♦ is "clear-cut". East's shape is much more suitable than it could have been for a hand which first entered the bidding on the 4-level.



Fearghal O'Boyle's comments:

A lot depends on who West's peers are? And how much you trust North?

On the surface, I would have thought that some number of West's would seriously consider leaving in 5♣ doubled vulnerable in a pairs contest.

But the AC knows the West players better than I do.

Ron Johnson's comments:

Let me say that I disagree with the committee and the director as to the frequency that an in tempo double of 5♣ would be left in. I would expect more than 30% of players to fear bad breaks.

Having said that, I think this ruling properly addresses the issues. Any disagreement is a matter of judgement.

In other words, a good ruling even if I would have argued differently.

Editor's comments:

Most comments agree with the AC but there is some doubt, which is often the case when pure bridge judgement is all that the AC has to decide.

.....

APPEAL No 5: Does it make a difference?

Tournament Director:

Mary Hart

Appeals Committee:

David Burn (Chairman) Kath Nelson Paula Leslie

Swiss Pairs Board no 18 Dealer East N/S vulnerable	♠A8 ♥KJ10642 ♦3 ♣8643										
♠K932 ♥Q7 ♦KJ64 ♣1097	<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>		♠J5 ♥A93 ♦875 ♣KQJ52
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<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠Q10764 ♥85 ♦AQ1092 ♣A										

Basic systems:

North-South play Acol

East-West play Acol, mini NT

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
		1NT	2♠
P	P	Dbl(A)	P
P	P		

Result at table:

2♠ doubled making by South, NS +670, lead ♣10

Director first called:

At end of hand

Director's statement of facts:

TD was called to table by East, given the auction and told at the end of the auction South said the 2♠ should have been alerted and explained as spades and a minor. East said that this would have altered his decision to double.

Director's ruling:

Table result stands

Appeal lodged by:

East-West

Comments by East-West:

Rights were reserved at the time before lead but after the auction had been completed.

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

Whereas East's argument that he would not double if South had two suits whereas he would if South had one has some validity, we were not convinced that (a) East's double and (b) West's pass were not a function of their methods rather than of the misinformation. This is Grattanesque for which I apologise but it has been a long day.

David Stevenson's comments:

A creative argument by East: what difference would a second suit make to his takeout double? West has an argument but his hand does not support it: a pass looks just as good whether it shows a second suit or not.

Laurie Kelso's comments:

The Laws (and some NCBO's) allow players to 'reserve their rights' in Unauthorised Information (UI) situations. This however is an issue of misinformation and if E/W had a problem with the corrected explanation, then the Director should have been summoned at the time of the correction. West would then have been offered the option of withdrawing his Pass and substituting another call (Law 21B1). By not summoning the Director, E/W have jeopardised their later rights.

The committee seems to have determined that East's decision to double (and West's Pass) were dictated by system and not by the type of intervention. On these facts, there is no damage due to the failure to alert and hence no reason to award an adjusted score.

Herman De Wael's comments:

West doubles a presumed six-card suit but would not double a five-card one ?

Matthias Berghaus' comments:

I assume that the AC found out about those methods. I would have doubled regardless, and so did everyone I showed this hand as a bidding problem. One player was a bit uneasy with his double vs. spades + minor, but he didn't want to lose the post-mortem

....

Fearghal O'Boyle's comments:

Correct procedure would have been for South to call the TD before offering a correct explanation.

Other than that, I agree wholeheartedly with the Grattanese.

Ron Johnson's comments:

I'd be curious whether a double by west would mean something different if South was known to be two-suited. I doubt it matters in this case and I get the impression that the committee checked this out.

I agree with the committee. I see no reason to doubt that West would have chosen to defend had he been given a correct explanation of South's call. And East's decision to re-open with a double seems a matter of style. I can't see how a correct explanation would affect this decision.

Editor's comments:

Laurie makes a very important point: West's failure to call the TD meant that he could not expect any adjustment based on changing his final pass, since that change would have been offered by the TD. The L&EC has been stressing the importance of calling the TD immediately in misinformation situations.

Of course, as Fearghal points out, South should have called the TD anyway. But that does not absolve West.

APPEAL No 6: Was there merit in the appeal?

Tournament Director:

David Jones

Appeals Committee:

David Harris (Chairman) Neil Rosen Jeremy Dhondy

Swiss Pairs Board no 22 Dealer East E/W vulnerable	♠84 ♥J865 ♦J763 ♣J52										
♠AKQJ95 ♥AKQ ♦Q2 ♣108	<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>		♠32 ♥10943 ♦K1085 ♣AK4
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠1076 ♥72 ♦A94 ♣Q9763										

Basic systems:

North-South play Standard American

East-West play Romex

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
		P	P
1NT(1)	P	2♣(2)	P
2♦(3)	P	2♥(4)	P
2♠(5)	P	3♠	P
4♠	P	5♣(6)	P
5♥	P	5♠(7)	P
6♠	P	P	P

- (1) Strong – artificial
- (2) Relay
- (3) 8+ playing tricks
- (4) Relay
- (5) Spades
- (6) Cue with extra values
- (7) Slow

Result at table:

6♠ making by West, NS -1430

Director's statement of facts:

With unauthorised information from slow 5♠ bid West is not able to choose from alternatives suggested by hesitation with two losing diamonds.

Director's ruling:

Score assigned for both sides:

5♠+1 by West, NS -680

Details of ruling:

Pass is logical alternative: therefore assigned score (Law 16).

Appeal lodged by:

East-West

Appeals Committee decision:

Director's ruling upheld

Deposit forfeited

Appeals Committee's comments:

Failed to satisfy the committee that pass was not a logical alternative.

No merit to the appeal by a relatively experienced pair (junior international).

David Stevenson's comments:

This looks like a waste of everyone's time, so the deposit was correctly forfeited.

Laurie Kelso's comments:

The Committee's comments sum things up well. West gave East all the information required to make the final decision. When East selected 5♠, West had no reason to push on to six. Pass is surely a LA and an experienced pair should know better than waste the Committee's time.

Herman De Wael's comments:

5♥ : "Houston, we have a problem".

5♠ : "Sorry, can't help you"

Pass.

Or else lose your deposit.

Matthias Berghaus' comments:

Decidedly no merit. Since when does 5♣ guarantee a ♦ control? Why not AKQJ in ♣ or some such? A junior international pair should have known better than to bring this to appeal.

Fearghal O'Boyle's comments:

The TD ruling is perfect. The AC comment is perfect up until the last line.

On the surface, the appeal does not seem frivolous. There was a judgement call involved. But as before the AC know their clients better than I do.

Ron Johnson's comments:

The only thing I find surprising about the ruling is the decision to retain the deposit. Not that I disagree with the decision. Slow signoffs are a persistent problem in the game and the rulings need to be forceful.

Editor's comments:

Several commentators do not see any merit in this one.

APPEAL No 7: Artificial score awarded

Tournament Director:

Jim Proctor

Appeals Committee:

John Young (Chairman) Su Burn Nick Sandqvist

Swiss Pairs Board no 5 Dealer North N/S vulnerable	♠Q1086 ♥1085 ♦AK72 ♣102										
♠J942 ♥A9762 ♦95 ♣84	<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>		♠AK3 ♥K3 ♦83 ♣AKQ975
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠75 ♥QJ4 ♦QJ1064 ♣J63										

Basic systems:

East-West play Strong Club

WEST	NORTH	EAST	SOUTH
	P	1♣(A)(1)	P
1♦(A)	Dbl	2♣(2)	P
2♥	P	3NT	P
P	P		

(1) Strong

(2) East asked meaning of double, South replied 'I presume other two suits'

Result at table:

3NT-1 by East , NS +50, lead ♦Q

Director first called:

At end of hand

Director's statement of facts:

TD was called by E/W after North said he intended his double as lead directing. N/S had a defence to strong club on convention card but this did not apply after 1♦ response. They had 'lead directing' among other things under 'Special Use of Doubles'. E/W claimed damage

Director's ruling:

Table result stands

Details of ruling:

East should be more thorough in 'checking up' by calling the tournament director after South's reply expressing doubt, or when he really needed to know before making his third call, it being a situation in which misunderstandings occur. South should not answer East's question as she did (Orange book 3.4.3).

Note by editor:

The Orange book is the EBU Handbook of Directives. 3.4.3 says:
Explain only your partnership agreement: if you do not know the meaning of your partner's call, or you have no agreement, you must not say how you intend to interpret it.

Appeal lodged by:

East-West

Appeals Committee decision:

Artificial score awarded:

Average plus to N/S, average minus to E/W

Deposit returned

Appeals Committee's comments:

The committee had sympathy for the inexperienced pair N/S but their action of the incomplete explanation damaged E/W by taking away any 'forcing' bid. The bidding following was unclear to the development of the auction and final resting place. It was felt that it was a close decision to overturn the director's ruling.

David Stevenson's comments:

As with appeal #5, failure to call the TD immediately in a misinformation case leads to trouble.

However, the Committee has no reason to give an Artificial Adjusted score, which is illegal when there has been a result obtained on the board. If they feel the final resting place is unclear then they can use Law 12C3 to give a weighted decision as in appeal #1.

Actually, it is a misconception that they need to decide what would have happened. The Law tells them to assign scores assuming one side is at fault and that their opponents get the benefit of the doubt. Thus they can look at likely conclusions, and either pick one, or decide a weighting.

Laurie Kelso's comments:

I find the Committee's adjustment somewhat curious given their comments. They appear to have found that the N/S explanation damaged E/W, yet they have given N/S (the offenders) average plus and E/W (the non-offenders) average minus. They then go on to say that the decision was close! I also don't understand why a 'forcing' bid is available to E/W if the Double is 'lead directing', but not when it shows the 'other two suits'? Logic suggests the reverse.

I acknowledge that if the double was systemically 'lead directing' then E/W will not play in 3NT. However I tend to agree that East should have asked either a subsidiary question or called the Director when South said "I presume..." given that he was dissatisfied with the answer. I also have objections to the awarding of an artificial adjusted score. If the Committee felt that E/W were due some redress, why not give an assigned score? There are only a limited number of possible outcomes and this seems like an ideal opportunity for a weighted assignment (Law 12C3). How about 60% of 5♣, -50; 20% of 4♣, +130; 10% of 3♥, +170; and 10% of 4♥, +420?

Herman De Wael's comments:

One of those difficult ones. An inexperienced pair fail to guess correctly as to partner's intention. I feel there is really no way of protecting both sides. EW are damaged, true, but really only by the circumstances. NS did nothing wrong, more than being inexperienced with opponents' methods. EW should really expect that this sometimes happens and not rely too much on an expectancy of correct information all the time. Perhaps they should be able to rely on this, but don't they often get good boards because of it?

Matthias Berghaus' comments:

This case has many facets. First of all: A+/A- is not in the rules. The board was played, therefore an adjusted score had to be awarded if the score was to be adjusted at all. Of course you can always arrive at some score resembling A+/A- by way of Law 12C3 if you try hard enough, but the rules state quite clearly that an artificial score is given only when no bridge result could be obtained. The TD should have told the AC so (well, perhaps it was half past two in the morning, this can happen).

Second: Nobody who starts "I presume.." actually has an agreement.

Third: Misinformation was present, E/W were damaged. Was the damage a consequence of the misinformation, or was it merely subsequent? This would be the case if E/W didn't continue to play bridge, but was this the case here? I don't think so. E/W probably should have realized that their opponents had no agreement, but now what? Can you bid on the assumption that partner realizes you are going to disregard the explanation just given? If this goes wrong and I try to tell the TD "well, he told me such and such but I didn't believe him..." you are not going to have much of a case.

Now what score to give: 4♥ = obviously is the worst possible score for N/S. Whether this is sufficiently likely for E/W to be given to both sides depends on the quality of E/W. If you don't think so 3♣ +1 is right. In between you can always use Law 12C3 for a weighted score.

Fearghal O'Boyle's comments:

South's answer is not in accordance with EBU regulations.

Maybe the AC could do better than Av+, Av-? Law 12C2 requires an assigned score rather than an artificial score.

It shouldn't be too difficult to come up with some 'favourable results likely had the mis-information not occurred' - 1♦ redoubled made by West springs to mind as one possibility.

I admire the TD's reluctance to adjust.

Ron Johnson's comments:

Tricky. It's reasonably clear that East/West would not have landed in 3NT had it been clear that North was showing diamonds with his double. However I'm far less clear as to what would have happened had South given the correct explanation ("We've never discussed this."). After all, nothing in West's bidding showed a diamond stopper or length and East still bid 3NT. I'd advocate a score of +170 for East/West.

I agree that East could have done more to protect himself, but a double meaning majors doesn't sound improbable in that position and I see nothing wrong in believing the explanation he'd been offered. (Even if the wording of the explanation would raise some doubts in my mind.)

I hope David will have something to say on the subject of the score awarded. He's been a forceful advocate on the subject of awarding an actual score if at all possible.

Editor's comments:

Many points of interest. Two things stand out:

- (1) Players must call the TD whenever there might be misinformation.
- (2) Assigned scores are given when there has been a result at the table.

Laws & Ethics Committee's comments:

Situations in which it is unclear how an auction would have developed, had an infraction not taken place, are precisely those in which Law 12C3 should be used. It is much preferable for an Appeals Committee to project what would have happened and assign weightings to the likely results, rather than awarding an artificial adjusted score.

APPEAL No 8: A clear decision?

Tournament Director:

Malcolm Carey

Appeals Committee:

Chris Jagger (Chairman) Pat Davies Bill Hirst

Swiss Pairs Board no 13 Dealer North All vulnerable	♠AK42 ♥9 ♦AJ10 ♣A5432										
♠93 ♥KJ103 ♦K9532 ♣J10	<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>		♠10865 ♥AQ75 ♦Q74 ♣96
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠QJ7 ♥8642 ♦86 ♣KQ87										

Basic systems:

North-South play Benjaminised Acol

WEST	NORTH	EAST	SOUTH
	1♣	P	1♥
P	1NT(1)	P	2♣(2)
P	2♠(3)	P	2NT(H)
P	3NT	P	P
P			

(1) 15-18

(2) At least 7-8 points, artificial

(3) 15-16, four spades but not four hearts

Result at table:

3NT +1 by North, NS +630

Director first called:

After the bid of 3NT

Director's statement of facts:

TD was called when 3NT was bid to establish 'rights' following slow 2NT (hesitation agreed). TD was called back at the end of the hand. TD asked North why he had bid 3NT – reply was “because of extra clubs; J10 of diamonds and the fact that I thought we were losing the match and needed to push”.

Director's ruling:

Score assigned for both sides:

2NT+2 by North, NS +180

Details of ruling:

TD said that pass was a logical alternative and that the slow 2NT had suggested that to bid on would be the best idea so returned the score to 2NT+2.

Appeal lodged by:

North-South

Appeals Committee decision:

Director's ruling upheld

Deposit forfeited

Appeals Committee's comments:

The only discussion centred on whether to award a procedural penalty as we thought North was trying to take advantage of a hesitation.

David Stevenson's comments:

We must teach players that they have to avoid any possibility of taking advantage of unauthorised information.

Laurie Kelso's comments:

I agree with the decision. This is a standard UI situation, pass is a LA and there don't appear to be any other factors that would warrant an appeal of the Director's ruling. The comment about 'taking advantage of a hesitation' should probably have been left unsaid. If the committee really were of that opinion then disciplinary action would have been appropriate. Since the committee took no action on this issue, N/S might (if they were named) have a valid objection to the write-up (but not the decision).

Herman De Wael's comments:

Answer to North: your partner also knows you're behind, so he's already taken that into account. If you thought your ♣JT is worth extra, then you should not have shown 15-16. Pass or lose your deposit.

Matthias Berghaus' comments:

I could muster some sympathy for North if 2♣ showed something in clubs, but still not enough. After the hesitation North is dead. But a procedural penalty would have been a bit much, even for me. Pass was a logical alternative. Case closed.

Fearghal O'Boyle's comments:

Looks like everyone got it right (except North).

North didn't make a good impression on the AC. Forfeiting the deposit seems harsh in a judgement case.

Ron Johnson's comments:

I agree with every part of this decision. This is exactly the situation where a procedural penalty is in order if:

- a) The committee decides that North in fact knowingly used unauthorized information and
- b) Is experienced enough to know better.

The committee took the time to assure themselves that at least one of the conditions did not apply.

For the rest, as I said in an earlier comment, I applaud strong decisions in cases of slow signoffs. Far too frequently a slow signoff is an excellent description of the hand.

Editor's comments:

The only question seems to be about the deposit. Is there any chance North could win this case? I think not, so why appeal?

APPEAL No 9: How was I to know it was takeout?

Tournament Director:

Chris Barrable

Appeals Committee:

David Burn (Chairman) John Hassett Andrew Thompson

Swiss Pairs Board no 15 Dealer South N/S vulnerable	♠K732 ♥A943 ♦7 ♣AJ93										
♠10 ♥62 ♦AK8432 ♣KQ106	<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>		♠J54 ♥QJ5 ♦Q965 ♣875
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠AQ986 ♥K1087 ♦J10 ♣42										

Basic systems:

North-South play Acol

East-West play Acol

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
			P
1♦	Dbl	2♦	Dbl(1)
P	2♥	P	4♥
P(2)	P	P	

(1) Not alerted, asked by West for meaning – they have no agreement

(2) See below

Result at table:

4♥ making by North, NS +620

Director first called:

At West's final pass (2)

Director's statement of facts:

West felt that the double by South should have been alerted. He was told by North: "I am taking as take out, however we have no agreement." TD asked North to restate only their agreement: "We have none". TD looked at convention cards and there is no mention of "Responsive double". West felt keen to tell TD he would take different action if it was alerted.

Director's ruling:

Table result stands

Details of ruling:

West has received an explanation of N/S methods, in fact probably more. Therefore no misinformation. Law 21.

Appeal lodged by:

East-West

Director's comments:

When TD was called to the table TD cautioned West to be careful about passing unauthorised information to partner by his comments "I might have taken different action" and "I might take different action if it is alerted".

Appeals Committee decision:

Director's ruling upheld
Deposit returned

Appeals Committee's comments:

If a player makes a takeout double that gets taken out, there is some evidence that this is in fact the partnership method therefore there has been no misinformation.

However, we feel that West did not take adequate steps to protect his side from damage in a fairly common situation, and thus allow the result to stand.

David Stevenson's comments:

Did West really believe the double of 2♦ was for takeout? No, he just hoped N/S were going to have a misunderstanding. Well, he cannot have it both ways: he was not damaged by the failure to alert, but by his attempt to gain from the lack of alert.

Laurie Kelso's comments:

Presumably West wanted to be in 5♦ after the hand was over. There does not however appear to be any misinformation or any other infraction by N/S. Surely West's diamond holding and his general bridge experience told him that South's double was not penalties? I assume E/W were not very experienced since the Committee did not keep the deposit.

Herman De Wael's comments:

Yes, so what?

It quacks like a responsive double, it is explained like a responsive double, and it is a responsive double.

Matthias Berghaus' comments:

What did West want the alert for? Moral support? Didn't he have AKxxxx and partner raised? Who plays this double as penalty, agreement or no agreement? West got more of an explanation than he was entitled to, and the alert would have changed everything? West had no case. He should be glad he still got his money.

I don't think N/S had any agreement about this double. This is just bridge.

Fearghal O'Boyle's comments:

Was there an agreement? Maybe. Maybe not. In the absence of evidence to the contrary I would expect the TD to rule mis-information.

This TD and the AC seem convinced that N/S have an agreement (take-out) and that they have disclosed it. It is not that obvious to me. But presumably they have investigated the matter fully.

Ron Johnson's comments:

I am slightly surprised that the deposit was not retained. If East/West were experienced I would certainly advocate retaining it as I can see no merit in the appeal – the director's ruling seems both clear and correct to me.

Editor's comments:

While Fearghal does not seem to agree, we think that West knew it was a takeout double, so whether there was misinformation or not, there was no damage. This looks like a player trying to get an advantage from the Laws.

Laws & Ethics Committee's comments:

A player who genuinely believes that he has no agreement, express or implicit, is correct to say just that in response to a question, and is entitled to take reasonable action thereafter on the basis of how he has decided to interpret the call (which he should not disclose). A player who is told that his opponents have no agreement, but whose own hand tells him how the call is likely to have been intended, is entitled to try to take advantage of the possibility of his opponents having had a misunderstanding, but cannot expect redress if his decision turns out badly, because he has not been damaged by any misinformation. Here, West knows from his hand that South did not intend his double for penalties, and is entitled to pass in the hope that North takes it for penalties. If North does not do so, West is not entitled to an adjustment on the grounds that he would have taken some other action if the double had been alerted as being for take-out.

APPEAL No 10: Should a player always double?

Tournament Director:

Dave Armstrong

Appeals Committee:

Tim Rees (Chairman) Alan Nelson John Holland

Swiss Pairs Board no 19 Dealer South E/W vulnerable	♠Q82 ♥AJ10 ♦J954 ♣753										
♠10653 ♥K654 ♦K862 ♣8	<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>		♠J4 ♥Q982 ♦AQ2 ♣AK94
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠AK97 ♥73 ♦107 ♣QJ1062										

Basic systems:

North-South play Acol

East-West play Acol

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
			P
P	1♥(1)	1NT	2♣
P	P	P	

(1) Psyche

Result at table:

2♣ -1 by South, NS -50

Director first called:

At end of hand

Director's statement of facts:

TD was asked to record a psyche by North. After TD recorded the hand TD asked why South had not doubled and she had no explanation. TD ruled the psyche 'Red' and adjusted the score. At this point South started saying that TD and the ruling were ridiculous. TD warned her that the arguments were over and the proper course was to appeal. N/S said they wished to.

Director's ruling:

Artificial score awarded:

30% to N/S, average plus to E/W

Note by editor:

In the EBU when a psyche is adjudged to be fielded it is described as 'Red', the board is cancelled, there is an adjustment of average plus to the non-offenders, average minus to the offenders, and a further penalty of at least a standard fine to the offenders.

The correct fine in Swiss Pairs is 0.5 VP (or more) rather than a percentage of a top..

Appeal lodged by:

North-South

Appeals Committee decision:

Director's ruling upheld

Artificial score awarded:

Average minus to N/S, average plus to E/W, 0.5 VP penalty to N/S

Deposit returned

Appeals Committee's comments:

Although South had no intent to field the psyche, she has selected an option which would result in a better result opposite a psyche. As North has psyched the 2♣ is deemed to have fielded it.

The director should have ruled 40/60 with a ½ VP fine.

David Stevenson's comments:

This seems the traditional position for a fielded psyche. South has a routine double, and failure to make it is allowing for partner to be the one without his bid. Of course, that may not be her intent, but if she does not double and finds partner has psyched then there is an apparent breach of the Laws.

Laurie Kelso's comments:

This ruling is a function of the EBU regulations regarding the fielding of psyches. South's action (in bidding 2♣, rather than doubling) fulfils the criteria laid down and hence it becomes mandatory to award an artificial adjusted score. The Director's error

in expressing the penalty as a matchpoint percentage rather than VPs might have been corrected before the Committee examined the case.

Herman De Wael's comments:

I have too little experience with English bidding styles and psyching regulations to be able to comment.

Matthias Berghaus' comments:

The AC said about everything there is to say. The TD was generous not to give a disciplinary penalty. Whether South suspected a psyche or not seems to be immaterial in the EBU (not a bad regulation in my eyes), so the amended ruling is automatic.

Fearghal O'Boyle's comments:

This looks like your classic 'field'. So you apply the EBU regulation as the AC did.

Ron Johnson's comments:

Fielding a psyche or just plain poor judgement? If South leads her suit I like their chances of beating 1NT. Further, West shows a curious lack of enterprise.

I guess none of that matters given how the EBU's regulations are crafted. I happen to disagree strongly with the regulations, but it's important that they be enforced. The absolute worst thing an appeals committee can do is make up rules or to try and circumvent rules they happen to disagree with.

Editor's comments:

This seems to be the example that might be quoted in a TD Guide of how to deal with a fielded psyche.

Laws & Ethics Committee's comments:

The L&E confirmed the Red classification of the following psyche from the Brighton Summer Congress.

Mr Fleet had raise the question of whether it was justifiable to deem an action "abnormal" if the alternative, normal, action would not have been considered to be an option by the player concerned. The L&E was satisfied that such considerations did not apply to the present case, comments attributed to the South player along the lines of "I have doubled before on a 10-count; partner was weak and it made" being entirely sufficient to justify a Red classification.

In principle the test is objective in the sense that a player's intention will not be taken into account, but the standard of the player will be taken into account where relevant.

APPEAL No 11: What do you need to raise?

Tournament Director:

Chris Barrable

Appeals Committee:

David Harris (Chairman) Jeff Allerton Roger Gibbons

Swiss Pairs Board no 22 Dealer East E/W vulnerable	♠AQ7652 ♥Q10832 ♦76 ♣--										
♠KJ ♥KJ4 ♦AKQ4 ♣A1093	<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>		♠103 ♥A96 ♦9852 ♣KJ72
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠984 ♥75 ♦J103 ♣Q8654										

WEST	NORTH	EAST	SOUTH
		P	P
2♦(1)	2♠	3♣	3♥(2)
4♣	P	4♦	P
5♣	P	P	P

- (1) Strong, either single-suited or strong balanced
- (2) Psychic bid

Result at table:

5♣ -3 by East, NS +300, lead ♠8

Director first called:

At end of hand

Director's statement of facts:

TD was called by East, who wished the psychic bid by South to be recorded. This the TD did.

Director's ruling:

Artificial score awarded:

30% to N/S, average plus to E/W

Details of ruling:

TD ruled there was indeed a psychic bid by South, and that in his opinion North had fielded South's psychic bid. TD has judged in accordance with Orange Book 6.2.1. that since North has passed 4♣, with good support for partner's heart suit, action has clearly been taken that has prevented N/S from damage hence classification as Red. Law 40A.

Note by editor:

Under EBU regulations a psyche is judged as Red, Amber or Green dependent on partner's actions. Partner will always be given a chance to comment in writing about his actions. If partner's actions appear to have allowed for the psyche it is adjudged as Red. Note that this does not mean he deliberately did so: EBU regulations preclude having to make such a determination. After a Red psyche the board is cancelled, and the psycher gets average minus less the minimum procedural penalty: his opponents get average plus. If the opponents actually got more than average plus the board is not cancelled but the minimum procedural penalty is still applied. If the fielding is particularly bad then a larger procedural penalty might be applied.

In a Victory Pointed event the minimum procedural penalty is 0.5 VP, so the TD should have applied this rather than 10% of a top, which applies in pairs tournaments without Victory Points. It is noted that the Appeals Committee corrected this.

Appeal lodged by:

North-South

Basis of appeal:

N/S do not believe the psychic call and subsequent action by North to be a red psychic bid.

Comments by North-South:

North is happy to play in 4♣ or 5♣ based on the bidding, intending to sacrifice over 6♣.

Comments by East:

East believes North should bid 5♥ over 5♣ given the known double fit in the majors (during the play the heart bid was further explained as showing spade tolerance).

Comments by West:

West wholeheartedly agrees with East's comments.

Appeals Committee decision:

Artificial score awarded:

Average minus to N/S, average plus to E/W, 1.0 VP penalty to N/S

Deposit returned

Appeals Committee's comments:

The committee believe and find the fielding by North to be blatant and are not convinced by N/S's appeal nor the basis for the appeal. On any view, at the vulnerability, 5♥, 6♥ or 7♥ would be likely to be beneficial if 3♥ was genuine and taken as so by North. The committee increases the fine to 1VP but are prepared to return the deposit as a sign of its generosity at the end of the event!

David Stevenson's comments:

This is blatant a field as I have seen. North clearly knows that his partner is unlikely to have hearts on the auction and wishes to limit the damage. While the Committee was right to increase the procedural penalty I can see no reason to return the deposit, though presumably they had their reasons. There were fifteen appeals over the Swiss Pairs in Brighton, several more than the previous year, and many of the cases had no discernible merit. It is important to stop wasting everyone's time for appeals like this one so they need to be actively discouraged.

Laurie Kelso's comments:

My comments to appeal #10 are equally applicable here. Why return the deposit if the Committee felt so strongly about the appeal's lack of merit? Generosity should be reserved for the deserving souls.

Herman De Wael's comments:

Blatant indeed. Fine doubled. Good. Deposit returned - very generous indeed.

Matthias Berghaus' comments:

Well, this is easily the most meritless case up to now, and it gives the next ones a tough act to follow. The AC displayed much human kindness and indeed much generosity.

Fearghal O'Boyle's comments:

South should report his own psyche. North's action were too convenient. It certainly looks like he smelt a rat. The AC decision is in accordance with EBU regulations.

Why was the deposit returned if the fine was increased?

Ron Johnson's comments:

I agree that this seems pretty blatant. Again though it bothers me that the infraction inflicted no damage on East/West. After East's 3♣, they seem very likely to go minus unless West finds a 3NT call over the 3♥, I don't find it terribly likely that East/West would end up defending even if North had bid 4♥ (or even 5♥).

Again though the ruling seems correct given the wording of the regulations quoted here.

Editor's comments:

No-one seems to understand the return of the deposit.

Ron's comment about a lack of damage surprises me: if North had bid 5♥, for example, E/W with their balanced hands would have presumably doubled and got a plus score. They were thus damaged by the fielding of the psyche.

Laws & Ethics Committee's comments:

The classification had been appealed and in confirming it the Appeals Committee had used the words "[we] find the fielding by N to be blatant". This indicates that the appeal was without merit, but the deposit had nevertheless been returned, apparently on the basis of exceptional circumstances, which were unrelated to the subject matter of the appeal. The L&E confirmed that the purpose of the appeals deposit procedure is to deter frivolous appeals. It therefore expects the discretion given to Appeals Committees with regard to the return of deposits to be exercised solely on the basis of the Committee's judgment of whether the appeal is frivolous for the class of player involved. It does expect, however, that deposits will only be retained by a unanimous decision of the Appeals Committee.

APPEAL No 12: Uncommon auction

Tournament Director:

Mike Amos

Appeals Committee:

Heather Dhondy (Chairman) Rob Cliffe Malcolm Harris

Swiss Pairs Board no 22 Dealer East E/W vulnerable	♠AQ7652 ♥Q10832 ♦76 ♣--										
♠KJ ♥KJ4 ♦AKQ4 ♣A1093	<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>		♠103 ♥A96 ♦9852 ♣KJ72
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠984 ♥75 ♦J103 ♣Q8654										

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
		P	P
2NT(1)	3♠	3NT	P
P	4♥	P	4♠
Dbf(H)(2)	P	4NT	P
P	P		

(1) 20-21

(2) Agreed tempo break

Result at table:

4NT +2 by West, NS -690, lead ♠x

Director first called:

At end of auction

Director's statement of facts:

TD was called to the table by N/S who wanted to "reserve their rights".

It was agreed that West had asked questions before doubling 4♠. He agreed it was a highly unusual auction and he had considered the position. Play continued and TD was recalled by N/S.

TD asked East why she had bid 4NT. She said that she had 8 points and was confident it would make. She had points to spare and would have bid 4NT if her partner had or had not doubled.

Director's ruling:

Score assigned for both sides:

4♠ doubled -1 by North, NS -100

Details of ruling:

East has unauthorised information. Law 16A.

Her partner has expressed doubt about the final contract: pass is a logical alternative. Law 16A2.

Appeal lodged by:

East-West

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

We felt that the appeal had little merit and West should be warned that he was close to losing his money.

David Stevenson's comments:

Another totally meritless appeal and a generous Committee. No doubt East believed that 4NT was the correct bid with her hand. Players must learn, however, that when something is known about partner's hand because of his comments, questions, hesitations or the like, that certain calls become illegal. Hesitations generally show doubt, and a hesitation followed by a penalty double suggests that the doubler would not be averse to partner removing it. Then partner must have a hand that everyone would remove the double with or he is required to leave it in.

Laurie Kelso's comments:

This is another standard UI situation even though the auction is unusual. Passing West's double is definitely a LA for East. The adjustment to N/S -100 also seems correct (most favourable of the likely results; Law 12C2).

Herman De Wael's comments:

Another appeal with little merit. Why do you refund this much? The TD should have told these people that there was little chance of any redress through the appeals' process. But then again, you do want to make certain that people feel that their rights are protected, so within reason, people should be allowed to appeal, even with as little merit as here.

Matthias Berghaus' comments:

Since North should be 6-5 or thereabouts in the majors, why can't South be 6-5 in the minors and 4NT probably doesn't make? Would the double be easier if West had 3 or 4 spades? You bet it would. So East had UI, pass was a logical alternative, the TD was right. This AC would get along famously with the one from appeal #11 ☺.

Fearghal O'Boyle's comments:

Perfect.

Ron Johnson's comments:

I think it's clear that a different committee would have retained the deposit. And I would have agreed with the decision – though I don't think that returning the deposit is wrong either. As the committee says, it's a close decision.

If East had no intention of defending she could have bid 4NT over 4♥. Pulling a slow double looks to me like use of unauthorized information.

Editor's comments:

There seems less unanimity about whether there was any merit but as with the preceding appeal it is difficult to imagine any Committee giving East anything.

APPEAL No 13: A slow bidder

Tournament Director:

Ian Muir

Appeals Committee:

Heather Dhondy (Chairman) Nevena Senior Su Burn

Swiss Pairs Board no 1 Dealer North Nil vulnerable	♠K ♥1076 ♦KQJ32 ♣Q972										
♠AQ6 ♥AJ42 ♦85 ♣AK43	<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>		♠10853 ♥Q5 ♦A1094 ♣1086
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠J9742 ♥K983 ♦76 ♣J5										

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
	1♦	P	1♠
Dbl	2♣	P	2♦
P(H)	P	Dbl	P
P	P		

Result at table:

2♦ doubled -2 by North, NS -300, lead ♥Q

Director first called:

At end of hand

Director's statement of facts:

TD was called and recorded the auction. North remarked that West's pass after 2♦ had followed a hesitation of "about 3 seconds" following which East had reopened with a double. N/S had reserved their rights and E/W had not called the TD. West replied that she was "a slow bidder". TD asked if the pass had been slower than the double and both pairs agreed that it had.

Director's ruling:

Table result stands

Details of ruling:

TD considered East's hand in the light of possible unauthorised information but in his opinion pass is not an action that would be chosen by a significant number of players and that double would be a commonly chosen action. Law 16A.

Appeal lodged by:

North-South

Basis of appeal:

N/S consider that pass is a logical alternative.

Appeals Committee decision:

Score assigned for both sides:

2♦ -2 by North, NS -100

Deposit returned

Appeals Committee's comments:

We felt that the unauthorised information made double more attractive and pass was a logical alternative.

David Stevenson's comments:

This is a straight judgement decision: was the double suggested by the hesitation? If so, was pass a 30% action, thus making it a logical alternative? The Committee thought so in both cases, and I agree.

Laurie Kelso's comments:

The only issue here is one of judgement. The Director did not consider that Pass was a LA and hence did not adjust. The Committee, by contrast, did believe that Pass was a LA and hence awarded the score for 2♦ undoubled.

Herman De Wael's comments:

Can I just say that I like the composition of this Committee - I wouldn't mind losing a deposit or two before this lot.

Anyway - is passing at pairs a logical alternative? I defer to the eminent Committee.

Matthias Berghaus' comments:

Indeed it was, and it should have been taken. I would not dream of acting opposite some shapely double in a pairs event. One of the few cases where I disagree with TD or AC. Amazing overall performance so far (well, return of deposits left aside, but who can really quarrel with generosity?).

Fearghal O'Boyle's comments:

Of course Pass is a logical alternative. But on top of that East is duty bound to avoid taking any advantage (Law 73C).

So the AC got it right.

Ron Johnson's comments:

I agree with the committee. I don't see it as particularly close.

Editor's comments:

Why is Herman waxing lyrical about the Committee? Is it because it was all-female?

APPEAL No 14: Normal protection?

Tournament Director:

Mike Amos

Appeals Committee:

Malcolm Pryor (Chairman) Francis Hinden Giles Woodruff

Swiss Pairs Board no 10 Dealer East All vulnerable	♠Q10962 ♥642 ♦6 ♣KQ62	
♠J8 ♥K108753 ♦Q532 ♣4	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠K43 ♥J9 ♦AJ4 ♣A10753
	♠A75 ♥AQ ♦K10987 ♣J98	

Basic systems:

East-West play Acol, weak NT, 12-14

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
		1NT	P(1)
2♦(A)	P	2♥(A)	P(1)
P	2♠	P	P
P			

(1) Disputed hesitation

Result at table:

2♠ making by North, NS +110

Director first called:

At end of auction

Director's statement of facts:

West argued that both South's passes were slow. North said that South's normal tempo was quite slow as he was a relatively inexperienced player. E/W agreed this but West maintained that on this hand the passes were slower. North thought his bidding was no different to normal.

TD was recalled at the end of play. E/W asked for a ruling. I asked North why she bid 2♠. She said she thought it was a normal bid – she had five spades and the opposition had stopped in 2♥. Her partner obviously has values.

Director's ruling:

Table result stands

Details of ruling:

TD concluded that there was a tempo break but decided to allow the 2♠. At equal vulnerability, playing matchpoint pairs, it would be normal to protect with seven points. Partner is known from the auction to hold 10+ points.

Appeal lodged by:

East-West

Appeals Committee decision:

Score assigned for both sides (Law 12C3):

40% of 2♥ making by East, NS –110

+ 60% of 2♥ +1 by East, NS –140

Deposit returned

Appeals Committee's comments:

Didn't feel that 2♠ was evident – pass is a logical alternative.

David Stevenson's comments:

Pure judgement. I believe most people would bid 2♠ routinely – would you?

Laurie Kelso's comments:

I doubt whether 70% of the field would balance in this situation and am happy to agree with the Committee's assessment of LA's. The weighted score simple reflects the relative likelihood of E/W making either 8 or 9 tricks in 2♥.

Herman De Wael's comments:

Another close one - bidding seems logical, but not necessarily at 100%. Then it is not allowed. Thoughtful Committee to weight the result in 2♥.

Matthias Berghaus' comments:

This is always difficult. For me pass is no logical alternative, other players would not dream of bidding. The TD shared my view, the AC didn't. So where does this leave us? I think you have to know the players to form an opinion. In any case I would have expected the TD to rule against the offenders and the AC to possibly overturn the decision, but three players chosen for this duty in a big event reached a decision, so who am I to argue?

Fearghal O'Boyle's comments:

Once the TD concludes there was UI - North's actions are scrutinised much more closely.

As before North has a duty to avoid taking any advantage (Law 73C). There can be no doubt that at least 3 in 10 of North's peers would Pass. So Pass is a logical alternative.

I like the AC adjustment.

Ron Johnson's comments:

In general an inexperienced player's tempo conveys very little information. In this case though I have little doubt that North had unauthorized information. Is pass a logical alternative given the authorized information? This seems less clear to me. Yes, partner has values, but the risk of -200 is very real here. I think it's close, but I agree with the committee.

It would be an easy decision with the ACBL's definition of a logical alternative. Not that I'm saying the ACBL's is a better definition.

Editor's comments:

Herman refers to the Committee as thoughtful, but TDs and Committees should nowadays always be considering a weighted score when adjusting.

Matthias is surprised the TD ruled as he did, but nowadays TDs are expected to rule as they believe is right after consultation. The old idea of ruling against the offenders fairly routinely has died – good riddance!

APPEAL No 15: This was a defence?

Tournament Director:

Jim Proctor

Appeals Committee:

Nissan Rand (Chairman) Tracy Capal Brian Senior

Imp Pairs Board no 19 Dealer South E/W vulnerable	♠AJ94 ♥103 ♦10873 ♣654										
♠Q862 ♥AKQ2 ♦2 ♣J932	<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 ♥75 ♦KQJ964 ♣AQ87
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠10753 ♥J9864 ♦A5 ♣K10										

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
			P
1♣(A)(1)	P	1♦	P
1♥	P	1♠(A)	P
1NT	P	3♣	P
3♠(A)	P	3NT	P
P	P		

(1) Could be 3 cards

Result at table:

3NT +2 by West, NS -660, lead ♦3

Director first called:

At end of hand

Director's statement of facts:

Before opening lead faced South asked questions.

Reply to question about 1♠ was "could be fourth suit forcing, could be natural - we have no agreement about this sequence".

Reply to question about 3♠ was "I believe my 3♣ was a slam try and that 3♠ shows the Ace and denies the aces of ♥ and ♦".

West then said "We have no agreement about this sequence" and emphasised they had not played together before. Then he said "If this is a cue bid it would deny first round control of diamonds and hearts".

N/S claimed damage. The play was ♦3 to ♦K ducked, heart to Ace, club to Q and K, ♦A, heart return.

Director's ruling:

Score assigned for both sides:

3NT +1 by West, NS -630

Details of ruling:

N/S's original claim of damage was just taking their ♠A after ♦A. Law 40C. Later they claimed more, i.e. the possibility of defeating the contract by North not cashing the ♦A

Appeal lodged by:

East-West

Director's comments:

When TD first went to the table North and West made it difficult for him to ascertain the facts by talking to each other. TD had to curtail things and hold them both off and TD returned to the pairs separately later.

Appeals Committee decision:

Table score re-instated

Deposit returned

Appeals Committee's comments:

N/S were right in feeling that E/W didn't give the proper explanation and may have defended to get an extra trick in defence. However, the committee finds that South cashing the ♦A was a very poor defence. The committee decided to allow E/W making the original 11 tricks.

David Stevenson's comments:

Should there be any adjustment for the offending side, even if the non-offending side did not deserve one? Actually, I see no misinformation here – it sounds as though N/S knew as much as was possible about the E/W methods.

Laurie Kelso's comments:

I fail to see from the write-up why the E/W explanations might be considered improper, or how they could have induced South to cash the ♦A. E/W appear to have given N/S the correct information regarding their (limited) systemic agreements. Reinstatement of the table result seems correct.

Herman De Wael's comments:

Yeah, a pair states at the table that they don't know what their methods really are, and then you claim damage after you have misdefended. Good Committee.

Matthias Berghaus' comments:

To rule against a pair who have never played together before and tried to be helpful with the explanations seems a bit harsh. West could have made it easier for everyone by bidding 2♠ at his third turn, regardless of the meaning of 1♠, but this is always easy to say in retrospect.

South had only to listen to West to know 3♠ was no cue. West had (at the critical point) already shown up with the ace of hearts. I think the director should have ruled for E/W in the first place, but I don't feel strongly about this. In any case he should not have given a trick to N/S after this defence. The ace of diamonds ends all hope for redress, it's just too bad a play. The causal chain between irregularity (if any, I don't think so) and damage was broken here.

Fearghal O'Boyle's comments:

As in other cases, players need reminding that personal opinions are not helpful. 'No agreement' is often the correct response.

I think this is a case where both TD and AC were right. It is good that E/W were forced to appeal.

The AC think that cashing the ♦ A was a wild or gambling action that broke the link between any mis-information and consequent damage. I agree.

Ron Johnson's comments:

A very poor defence is not enough to deny a score adjustment for misinformation. Edgar Kaplan used to talk in terms of egregious errors. Does the cashing of the ♦ A rise to that level? Perhaps. I suspect I could be persuaded either way.

But let's back up a bit. Where is the misinformation? And if there was misinformation how were North/South damaged? From what I can tell, East/West gave an accurate description of their (lack of) agreements. And I don't see either the initial lead or South's defence to be a consequence of the explanations given.

In other words, East/West +660.

Editor's comments:

While a TD is not wrong because a Committee disagrees with his judgement, it is difficult to see how a TD and Committee are both correct unless (as sometimes happens) the Committee hears a different story. Compare appeal #14: nowadays TDs are expected to rule as they believe is right after consultation.

APPEAL No 16: A momentary flutter

Tournament Director:

Mike Amos

Appeals Committee:

Brian Senior (Chairman) Liz McGowan Peter Lee

Pairs	♠Q10965	
Board no 4	♥9	
Dealer West	♦J652	
All vulnerable	♣842	
♠7	<i>N</i>	♠KJ84
♥6	<i>W</i> <i>E</i>	♥A1085432
♦AK10984	<i>S</i>	♦3
♣AJ1093		♣6
	♠A32	
	♥KQJ7	
	♦Q7	
	♣KQ75	

WEST	NORTH	EAST	SOUTH
1♦	P	1♥	Dbl
2♣	2♠	3♥	P
P	P		

Result at table:

3♥ -2 by East, NS +200, lead ♦7

Director first called:

At end of hand

Director's statement of facts:

TD was called to the table by West. He complained that after a ♦ lead, won on the table, he led the singleton ♠. South had not played smoothly – he described it as a “flutter” - consequently he had played his king, which lost to the Ace. South and North agreed that there had been a “momentary flutter”. North said that she knew her partner had spades because of the double and she briefly considered playing the queen “to try and retain the lead”.

Director's ruling:

Table result stands

Details of ruling:

Law 73F2 allows the TD to adjust the score where the player has "no demonstrable bridge reason" for an action such as the tempo variation here.

Considering whether to attempt to win the trick is a demonstrable bridge reason in the TD's opinion.

Appeal lodged by:

East-West

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

We see no reason to overturn the TD's ruling. North is not a strong player and probably did have a decision to make. She likely would have played the Ace if she had it and declarer should probably have got it right anyway.

David Stevenson's comments:

I do not know that declarer should get it right, but there is nothing wrong with seeing a bridge decision where a more experienced player might feel there is no decision.

Laurie Kelso's comments:

I agree wholeheartedly with the ruling and reasons given.

Herman De Wael's comments:

The Law is very sensible in this aspect. If a player has nothing to think of, and he does, he can be punished. But if he has something to think about, then he is allowed to. Surely deciding which card to play on a low singleton is something to think about.

East misjudged the level of competence of North and drew a wrong conclusion. Tough.

Matthias Berghaus' comments:

So you lead a singleton from dummy and the ace doesn't appear. Hmmmm. If she was good enough to play small with or without a flutter you probably would know her. Now you play the king and complain when you didn't read the flutter right (you wanted a flutter, didn't you?). Anyone not playing low without visible concern isn't good (or heroic) enough to duck the ace anyway. TD and AC got it right again.

Fearghal O'Boyle's comments:

I couldn't have said it better myself.

Ron Johnson's comments:

While I agree with the ruling, I find the committee's comments surprising. Whether a player should have got something right has no importance here. Even weak players have been known to duck aces when a singleton is led. Almost never in tempo though.

The director's comments sum up the situation nicely. North did not vary his tempo in an attempt to gain an advantage. East is entitled to draw conclusions from North's tempo but does so at his own risk.

Editor's comments:

For an adjustment because of an opponent's action (whether remark, hesitation, look of grave concern or whatever) you have to be misled and the opponent must have no bridge reason for the action.

APPEAL No 17: Oh look! I have diamonds too!

Tournament Director:

Bob King

Appeals Committee:

Jeremy Dhondy (Chairman) Nevena Senior Gary Hyett

Swiss Teams Board no 8 Dealer West Nil vulnerable	♠98 ♥J4 ♦AQJ1042 ♣A43	
♠A73 ♥K975 ♦73 ♣Q876	N W E S	♠Q ♥Q10632 ♦K6 ♣KJ1052
	♠KJ106542 ♥A8 ♦985 ♣9	

WEST	NORTH	EAST	SOUTH
P	1♦	1♥	Dbl(A)
2♦(1)	P	P	2♠
3♥	P(2)	P	3♠
P	P	P	

(1) Not alerted

(2) Asked meaning of 2♦ – told “natural”

Result at table:

3♠ +1 by South, NS +170

Director first called:

At end of auction

Director’s statement of facts:

Called and established facts above. Recalled at end of hand. N/S claimed damage from failure to alert 2♦. The fear of a diamond suit with West meant there could be a ruff by East so didn’t bid game. East stated he had forgotten North opened 1♦ so thought partner’s bid natural.

Director's ruling:

Score assigned for both sides (Law 12C3):

40% of 4♠ making by South, NS +420
+ 60% of 3♠ +1 by South, NS +170

Details of ruling:

There has been misinformation. It is probable that N/S were damaged. Laws 21B3 and 40C.

Note by editor:

Under EBU alerting regulations, 2♦ must be alerted unless it is natural and non-forcing.

Appeal lodged by:

North-South

Basis of appeal:

It is easy to bid 4♠ with correct explanation, hence 40% of NS +420 is inadequate.

Appeals Committee decision:

Director's ruling upheld
Deposit returned

Appeals Committee's comments:

Committee thought N/S were damaged and 40% adjustment was reasonable, however:

a) N/S should be reminded that 2♠ should be alerted if it is forcing as this is an unexpected treatment.

b) N/S have a duty to protect themselves and the failure to double 2♦ is odd. We thought if anyone was short of diamonds from North's point of view it would be South.

David Stevenson's comments:

This is another situation (compare appeal #9) where North wants to have his cake and eat it too. He knows that 2♦ is not natural because of his hand and hopes to gain from the opponents' confusion. When that does not happen he tries to get the board back via the TD and Committee – and I think was lucky to get anything at all.

Laurie Kelso's comments:

The failure to alert 2♦ is an infraction, although there is nothing convincing in the write-up to suggest how N/S were actually damaged! The Committee's comments also seem to imply that they too had doubts about the causal link between the infraction and the poor N/S result. If this is true then maybe N/S were fortunate to receive even 40% of 4♠ via a weighted adjustment?

Herman De Wael's comments:

An appeal solely based on the weight of the damage. Nice.

Which means I have little to contribute - I'd need to be far better acquainted with N/S's methods to be able to judge their chance of getting to 4♠.

Matthias Berghaus' comments:

Not easy. North obviously speculated on a E/W misunderstanding, got one, but then got crossed up by South (which was not a bit a bad idea, since E/W were not about to go down 9 tricks in 2♦ with 420 available). Not to double 2♦ may look weird, but it is a legal tactic. Now they missed a thin game. Can happen to anyone. 40% of 420 looks about right. Good thing to have Law 12C3, 12C2 would force us to give N/S 420, this is a bit much.

Fearghal O'Boyle's comments:

I think N/S could have tried harder to reach 4♠. However an alerted 2♦ might have goaded them into it so the AC decision is reasonable.

Ron Johnson's comments:

It's quite clear that there is misinformation. Beyond that though I find that I don't agree with much of what the director or committee has to say. I find both the North and South actions on this hand to be sufficiently puzzling that I think estimating a 40% chance of reaching 4♠ to be generous.

While I find North's decision to pass 2♦ odd, I don't see that a double would have made it easier for South to bid game. Nor do I see how a correct explanation of 2♦ (I assume it was intended as limit raise or better in hearts or something along that line) would have made things easier for North/South. In fact my inclination is to leave the result stand.

Having said this, the committee had a chance to talk to North/South and are in a better position to estimate the chance that they would have reached game without the misinformation.

Editor's comments:

Most of the other commentators seem more sympathetic than me to N/S's predicament.

APPEAL No 18: The Swedes bid it better!

Tournament Director:

David Stevenson

Appeals Committee:

John Young (Chairman) Rob Cliffe Tony Ratcliff

Swiss Teams Board no 18 Dealer East N/S vulnerable	♠9 ♥K10542 ♦98542 ♣97										
♠QJ4 ♥A873 ♦AQ3 ♣843	<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>		♠AK1082 ♥-- ♦K107 ♣AQJ105
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠7653 ♥QJ96 ♦J6 ♣K62										

Basic systems:

North-South play 5 card majors

East-West play Swedish club

WEST	NORTH	EAST	SOUTH
		1♣(1)	P
1♥(2)	P	1♠(3)	P
3♥(4)	P	3♠(5)	P
4♥(6)	P	4NT(7)	P
5♣(8)	P	6♣	P
P	P		

- (1) 11-13 balanced or 17+ any
- (2) 8+ spades or balanced
- (3) 17+ relay
- (4) 11-13 4=1=4=4
- (5) Controls?
- (6) 4 controls + maximum
- (7) Spiral Scan: asks for spade king
- (8) No spade king

Result at table:

6♣ making by East, NS -920, lead ♠x

Director first called:

At end of hand

Director's statement of facts:

West says 3♥ was a mistake: he confused the responses for 4=1=4=4 with 3=4=3=3.

N/S ask why 4NT was not described as a possible prelude to further asks. Also they ask whether East has fielded West's misbid.

After spade lead declarer won finessed, club. South "knew" North had spade king so no ruff. She actually ducked the club.

East was suspicious of West's 3♥ call because it gave N/S twelve hearts. He bid 4NT in case West provided helpful answer like 6♣ or 6♦. He was not thinking of grand slam.

Director's ruling:

Table result stands

Record of hand to be sent to L&EC

Details of ruling:

Misinformation of 3♥: probably not, but no damage anyway.

Misinformation of 4NT: No. No reason to describe as prelude to further ask (compare Blackwood).

Fielded misbid: No.

Because of coincidence of action report to be kept

Appeal lodged by:

North-South

Comments by East-West:

West did not know he had made incorrect bids.

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

We feel that N/S were not damaged by any erroneous information.

David Stevenson's comments:

The Rule of Coincidence used to apply in North America. In effect it said that if both players did something strange but successful on the same hand then you ruled against them automatically. Fortunately it no longer applies.

However, the basic idea was sound: TDs and Committees should be properly sceptical of such situations. Here, where the TD did not think there was any reason to adjust he did decide to send a report to the L&EC in case any similar hands were recorded for this pair.

The following would be a good Rule of Coincidence:

“When both members of a partnership take strange yet ultimately successful action on the same hand the TD or Appeals Committee should always investigate carefully to see whether there are further considerations, such as concealed understandings or unauthorised information. If the TD or Appeals Committee ultimately rules no infraction (or no damage) he or they should consider whether to make a report to the sponsoring organisation.”

Laurie Kelso's comments:

While the committee might choose to label the information as erroneous, none of it can be classified as 'misinformation' under either Law 21 or 75. All the explanations appear to have been as per system (3♥ was a misbid) and thus are not infractions. No infraction - no adjustment (irrespective of damage).

Herman De Wael's comments:

Two separate cases. I don't think the 3♥ misbid is in need of a ruling.

As to the asking about a card that one has oneself, I don't believe this to be a single case. I feel that pairs that employ this tactic should inform opponents of the possibility. Of course, that is difficult in an actual case, but at least a general mention on the convention card should draw the attention to it.

Matthias Berghaus' comments:

Very mysterious case. East had doubts about 3♥ (who wouldn't ?). I think what has happened is that East tried to get West to bid something he could “read”, something which would give him a clue what this bid was really meant to show. In a relay system (which this seems to be) you can try to guess WHICH wheel has come off. I know. Believe me. Hence 4NT, asking for a card partner is known not to hold. At least this would explain the comment about “Helpful 6♣ or ♦” from partner. I think East was flying blind and bid a contract which could survive minimal trump support from partner. So I believe there was no infraction, but this is guesswork.

Fearghal O'Boyle's comments:

If West is showing 4-1-4-4 why does West not play in 6♠ rather than 6♣?

Anyway East has admitted to being suspicious of West's bid. Even if there is a fielded mis-bid it is not RED. So perhaps recording the incident is sufficient.

Ron Johnson's comments:

According to West's comments there was no misinformation to North/South. East's explanation was correct, it simply didn't happen to match West's hand. No penalty for an incorrect bid.

And even granting that they were misinformed, South found the only lead to present any problems. In the end the slam made because of South's interesting decision to ask for a card he held.

All in all, result stands. No misinformation.

Editor's comments:

Matthias' comments seem to really understand what went on, and sound like a man who has been there himself!

Laws & Ethics Committee's comments:

The L&E considered a hand on which a pair playing a complex relay system had misbid. It had no reason to criticise the conclusion of the Tournament Director and Appeals Committee that there had been no misinformation. It did, however, consider that in cases where complex sequences go wrong, Tournament Directors should be particularly assiduous in requiring convincing evidence to overturn the presumption of misexplanation rather than misbid.

APPEAL No 19: Does this make sense?

Tournament Director:

David Jones

Appeals Committee:

Heather Dhondy (Chairman) Alan Kay Patrick Jourdain

Swiss teams Board no 12 Dealer West N/S vulnerable	♠AJ9 ♥A4 ♦1093 ♣QJ1087										
♠1076543 ♥Q105 ♦4 ♣K52	<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>		♠K2 ♥87632 ♦KJ75 ♣94
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠Q8 ♥KJ9 ♦AQ862 ♣A63										

Basic systems:

East-West play Benjaminised Acol

WEST	NORTH	EAST	SOUTH
1♠	2♣	2♦	P
2♠	P	P	P

Result at table:

2♠ -2 by West, NS +100

Director first called:

At end of session

Director's statement of facts:

North stated that the board had been misboarded. South held the eight of hearts and East the king of hearts. East also had only four hearts. All hands had 13 cards but the compensating card in East was not known. N/S stated that the auction had been as shown.

West stated that he opened a weak 2♠ which was passed out and dummy was as shown.

Director's ruling:

Table result stands

Details of ruling:

Without agreement no grounds to adjust result.

Note by editor:

Benjaminised Acol as played by E/W includes weak twos, while standard Acol does not. "Benji" is a popular abbreviation for Benjaminised Acol.

Appeal lodged by:

North-South

Basis of appeal:

Board not as hand record

Comments by East-West:

As West I opened 2♠ (Benji). I did not open 1♠ as alleged. It is not my practice to psyche and has not been. My partner East did not bid during the auction. The cards were as on the print out

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

We feel that there is insufficient evidence of a misboarding and that it is possible that N/S have confused two similar boards, viz 10 and 12.

With the auction and hands as N/S contend, none of the actions taken by any players make sense.

David Stevenson's comments:

The Committee could hardly do anything else. The idea of confusing two similar boards seems a reasonable solution.

Laurie Kelso's comments:

This is simply a case of fact finding. The Director and Committee have ultimately ruled that 'on the balance of probabilities' the board was not fouled. Rulings on disputed fact are often difficult because of an inherent lack of certainty regarding actions that are only 'alleged' to have occurred. A ruling is still however required (Law 85).

Herman De Wael's comments:

Why does something like this come to Committee? A player thinks there is a misboard, and the TD investigates, but finds nothing. Why should an AC be able to find anything? I'd thank North for his deposit, buy a round of drinks with it, and don't make a report.

Matthias Berghaus' comments:

With the hand as shown in the diagram the auction as shown makes no sense whatsoever. Then again, neither does 2♠ - all pass. But anyone who manages to pass with the South hand in either bidding should manage to confuse boards and/or auctions.

Fearghal O'Boyle's comments:

Inexperienced players frequently get hands and auctions mixed up - and it is nearly impossible to appease them. I'm glad I wasn't there.

The TD and AC were spot on.

Editor's comments:

An interesting comparison in views between Herman and Fearghal. Should we allow a Committee to appease players or try to persuade them it is a waste of time?

APPEAL No 20: Too unbalanced?

Tournament Director:

Ted Hill

Appeals Committee:

Chris Jagger (Chairman) Nissan Rand Neil Rosen

Swiss Teams Board no 1 Dealer North Nil vulnerable	♠J843 ♥K102 ♦983 ♣543										
♠Q2 ♥Q753 ♦AK52 ♣K98	<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>		♠AK765 ♥84 ♦QJ1074 ♣7
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠109 ♥AJ96 ♦6 ♣AQJ1062										

Basic systems:

North-South play 5 card majors

East-West play Acol

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
	P	1♠	2♣
DbI(A)(1)	P	2♦	3♣
DbI(H)(2)	P	3♦	P
5♦	P	P	P

(1) Take-out

(2) Penalties (slow)

Director first called:

At end of hand

Director's ruling:

Score assigned for both sides:

3♣ doubled making by South, NS +470

Details of ruling:

West has told his partner that he has a penalty double of 3♣. A significant number of East players would accept this and pass. Pass is a logical alternative. 3♦ is not sufficiently evident. Law 16A.

Appeal lodged by:

East-West

Comments by East-West:

First double was takeout, showed four hearts and diamond tolerance.

In my opinion my fifth diamond and ten points (5/5 shape) were not suitable for defence and in any event I felt that 5♦ could well be a make. Recognising the quality of the opposition I thought the 2♣ and 3♣ bids would be sound and that we would not get rich out of 3♣ doubled.

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

Auction up to 3♣ doubled was duplicated at at least one other table and left in by an English international.

We were impressed with East's case but not sufficiently.

We were unimpressed with West who we felt was not being entirely genuine.

David Stevenson's comments:

Would you take out with the East hand? More to the point, do you think it automatic to do so? If not then the adjustment seems routine.

Laurie Kelso's comments:

Both the Director and the Committee believed that passing 3♣X was a LA and hence adjusted to N/S +470. The issue of East's presentation and West's ingenuous nature do not change the situation regarding a player's choice of actions for the purposes of Law 16A. Since there is no record of the E/W testimony before the Committee, it might have been better if the latter two observations had been expunged from the record!

Herman De Wael's comments:

Bidding 3♦ looks very normal to me, and the fact that an international has let a penalty double in does not impress me very much. I would probably vote the other way but who am I?

Matthias Berghaus' comments:

AK in a suit not supported by partner is not bad, is it? I would be pleased to pass with questionable expectation of a fit.

Fearghal O'Boyle's comments:

Perfect TD and AC decision.

However if AC thought West was in any way unethical they should have taken some further action.

Ron Johnson's comments:

The committee makes a point that so many people miss. 3♦ may well be the best call. It's entirely logical for the reasons that East sets out. But that's not good enough considering that the unauthorized information clearly suggests that he not leave the double in.

The only question is whether passing the double is a logical alternative. The fact that an international calibre players considers passing to be logical is interesting but not decisive. It's an easy decision under the ACBL's definition of a logical alternative but I think a fairly close one under the EBU's. It shouldn't come as a surprise that I agree with the decision.

Editor's comments:

The judgement seems close. I agree with Laurie that the comment about West looks unfortunate without something to back it up.

APPEAL No 21: Quick pass

Tournament Director:

Bob King

Appeals Committee:

Chris Jagger (Chairman) Sandra Penfold Paul Spencer

Swiss Teams	♠A98754	
Board no 6	♥6	
Dealer East	♦32	
E/W vulnerable	♣AK93	
♠KQJ10	N	♠6
♥109	W E	♥AKJ5432
♦AQ765	S	♦J9
♣Q10		♣875
	♠32	
	♥Q87	
	♦K1084	
	♣J642	

WEST	NORTH	EAST	SOUTH
		3♥	P(1)
4♥	P	P	P

(1) Before stop card removed

Result at table:

4♥ -1 by East, NS +100

Director first called:

At end of hand

Director's statement of facts:

Ascertained that auction as above and that South had passed before stop card removed.

Director's ruling:

Score assigned for both sides:

4♠ doubled -3 by North, NS -500

Details of ruling:

The 'quick pass' is in contravention of the regulations and imparts unauthorised information. 4♠ is a logical alternative and hence score is adjusted. Orange book 7.1.3, Laws 73F1 and 12C2.

Note by editor:

The Orange book is the EBU Handbook of Directives. 7.1.3 says:
After a jump bid, the next player must pause for about ten seconds before calling. It is an offence either not to pause or to show indifference when pausing.

Appeal lodged by:

North-South

Comments by South:

Bid was 3♥, then stop card played 1-2 seconds late. I then bid a few seconds later. Total was 5-6-7 seconds but I DO concede that the stop card had not been removed.

We were in play for second game when the complaint was raised – bidding had definitely begun - board was gone.

The score had been agreed with no issues raised.

Comments by North:

I was not aware that there was a problem until the next board was in play – I did not note any hasty play by my partner.

Appeals Committee decision:

Table score re-instated
Deposit returned

Appeals Committee's comments:

We felt he passed 4♥ because that's what he would normally do.

Though we regard 4♠ as normal no reason to punish them when we felt no advantage taken.

David Stevenson's comments:

The comments by the Committee seem to suggest they have misunderstood the Law. While the normal unauthorised information ruling concerns hesitations bidding too quickly over a skip bid when a ten second pause is required are treated the same way. If partner had hesitated then passed, and then a call suggested by the hesitation was made it would be no excuse whatever that he had done so "because that's what he would normally do".

If 4♠ is normal then it must be a logical alternative. Passing over 4♥ is choosing an action suggested by the unauthorised information (the fast pass over 3♥) over a logical alternative (bidding 4♠). Thus it should be adjusted.

Of course, the Committee could have decided that bidding 4♠ was not a logical alternative. But they did not so surely they should have upheld the TD's ruling?

Laurie Kelso's comments:

The majority of UI situations arise from hesitations and misexplanations during the auction. Undue haste is a much rarer scenario for the Director to be called for, but it has the same potential to convey UI.

This is a situation where I strongly disagree with the approach of the Committee. They have stated that they regarded 4♠ as a normal action, yet they have reinstated the table result! If they believe it to be normal, then surely it is a LA for this North! The Laws do not concern themselves with a player's motives hence it is irrelevant whether the Committee felt that "no advantage was taken". The only issue is whether the conditions necessary to adjust the score under Law 16A were fulfilled.

Was there a break in tempo? Yes, everyone agreed at the time.

Was UI available to North from the rapid Pass? Yes, there is an inference that South had nothing to consider over the pre-empt.

Was 4♠ a logical alternative action to Pass for North? Yes, the Committee has acknowledged that it is a normal action.

Were E/W damaged? Yes, -100 is a worse score than +500.

The Committee's findings seem to be at odds with their decision. If they really felt that 4♠ was not a LA for this particular North, then they have not made this clear from the write-up. Needless to say, I support the original adjustment made by the Directing staff of N/S -500.

Herman De Wael's comments:

A plea for the following of correct procedure. If one puts out the stop card after the bid, then one should not complain afterwards. But even with correct procedure, it is a bit harsh to have North bid on three top tricks.

Matthias Berghaus' comments:

The TD certainly got it right. The AC maybe so. In committee you can ask more questions, find out more details than the TD possibly can. He may take time for his decision, but his time will still be severely limited. If the AC comes to this decision on a hand where 4♠ borders on automatic, so be it. They talked to North, I didn't.

Fearghal O'Boyle's comments:

Certainly if East had used the STOP card before he bid 3♥ and South had made a quick Pass, I would have no hesitation in backing the TD.

But it appears that the STOP card procedure was not followed correctly by either side. Was there or wasn't there a quick Pass. This is why players should be reminded of Law 16A1 - to reserve their rights or call the TD at the time to establish the fact that there was or was not a quick Pass. So it looks like the AC were right but maybe for the wrong reasons.

However I don't understand the AC comment's at all. In UI situations we must train our players not to do what they would normally do but instead take great care not to take any advantage from the situation (Law 73C).

Ron Johnson's comments:

Well the committee had a chance to talk to the players involved and they felt that there was no use of unauthorized information. With the information provided, I disagree with the committee. I could easily see myself coming to the same decision as the committee if I had the opportunity to talk to North.

Editor's comments:

Despite the failure of E/W to follow the Stop card regulation correctly the situation is surely different from when the Stop card is not displayed? Here South admitted that when he passed the Stop card was on the table. Furthermore, he is required to pause over any Stop bid. I do not see that East's failure to put the Stop card out before the bid excused South's quick pass or meant that it did not convey unauthorised information.

Laws & Ethics Committee's comments:

Whilst it was open to the Appeals Committee to decide that 4♠ was not a logical alternative for this North, it is not clear that that was the basis for their decision. This hand provides a good example of the principles involved in unauthorised information situations. Say that pass and 4♠ were both regarded as 50% actions without the unauthorised information. If the unauthorised information demonstrably suggests the winning action, the player must select the losing action. It is well known that after a hesitation, implying values, a successful 4♠ call would be canceled. In the present case, after a premature pass, suggesting a lack of values, it was entirely correct for the TD to impose an unsuccessful 4♠ call if he considered it a logical alternative, and perhaps surprising that the AC did not uphold the decision.

APPEAL No 22: What does a hesitation mean?

Tournament Director:

John Probst

Appeals Committee:

Jeremy Dhondy (Chairman) Filip Kurbalija Phil King

Swiss Teams Board no 8 Dealer West Nil vulnerable	♠AKQ4 ♥AKQ93 ♦43 ♣92										
♠6 ♥86 ♦KJ105 ♣AKQ876	<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>		♠10732 ♥J2 ♦A976 ♣J105
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠J985 ♥10754 ♦Q82 ♣43										

Basic systems:

East-West play 5 card majors

WEST	NORTH	EAST	SOUTH
1♣	Dbl	1NT	P
2♣	2♥	P	P
3♣	3♥(H)(1)	P	4♥
P	P	P	

(1) Hesitation agreed

Result at table:

4♥ making by South, NS +420, lead ♣5

Director first called:

After 4♥ call

Director's ruling:

Score assigned for both sides:

3♥ +1 by South, NS +170

Details of ruling:

When a player takes time to find a call it generally means he has extras. 4♥ is easier as a result. Laws 16A1, 73F1, 12C2.

Appeal lodged by:

North-South

Basis of appeal:

Pass is not a logical alternative.

Appeals Committee decision:

Table score re-instated

Deposit returned

Appeals Committee's comments:

Committee viewed that any unauthorised information made 4♥ less attractive not more and allowed the table result to stand.

David Stevenson's comments:

While a hesitation often does show extra values I do not believe it does in this auction. North would normally be wondering whether to pass or scratch up another bid opposite his quiescent partner. So I think that 4♥ is not suggested by the hesitation.

Laurie Kelso's comments:

The issue here is whether the hesitation demonstrably suggests 4♥. The Director has ruled that it does, while the Committee believes it does not. The contrary decisions reached on whether to adjust or not have arisen directly from the different views regarding what is 'suggested' by North's break in tempo. I agree with the Committee, the hesitation can only express doubt about whether to compete once more. North was never considering bidding game, his problem (from South's perception) was whether to Pass or bid 3♥.

Herman De Wael's comments:

Indeed, what does a hesitation mean? Seems to me like John was shooting the hesitator.

Matthias Berghaus' comments:

I agree with the AC on this one. 4 trumps without any values are enough on this sequence. North bid three times. If 10xxx is not enough, what does North expect from South? Aces? Whatever problem North had, it didn't make 4♥ more attractive for South.

Fearghal O'Boyle's comments:

A tough one - which probably implies that the TD got it right. Maybe the AC got it right as well?

I would expect any good player to bid 4♥ in their sleep with the South hand so I like the AC comment that the hesitation makes 4♥ less attractive. On the other hand if the TD judges that some of South's peers would Pass then he is right to make South put his case to AC.

Ron Johnson's comments:

I agree with the committee. While South has unauthorized information it in no way demonstrably suggests bidding on. North may have been deciding between bid and pass or bid and double. As South I'd bid 2♥ if they'd let me.

Editor's comments:

It is policy nowadays for TDs to rule as they think right, not in such a way as to make one side or the other appeal, as Fearghal is suggesting. Despite the high number of appeals at the first weekend of Brighton this year the number of appeals is generally reducing as players become more confident in TD's rulings.

APPEAL No 23: A mechanical error?

Tournament Director:

Graham Cornell

Appeals Committee:

Chris Jagger (Chairman) Jon Williams Tim Rees

Swiss Teams Board no 10 Dealer East All vulnerable	♠J76 ♥K ♦AQ1096 ♣A642										
♠93 ♥A5 ♦KJ87542 ♣103	<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>		♠Q102 ♥Q108742 ♦ ♣KQ75
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠AK854 ♥J963 ♦3 ♣J98										

Basic systems:

North-South play Acol + Multi

East-West play Blue Club + Multi

WEST	NORTH	EAST	SOUTH
		2♦(1)	P
2♠	P	3♥	P
P	Dbf	P	4♠
P	P	P	

(1) Either 6/7 card major with 5-9 points, or 21-22 balanced, or Acol 2 in any suit

Result at table:

4♠ -2 by South, NS -200

Director first called:

After first bid

Director's statement of facts:

TD was called to the table by South. East had been fingering his bidding box, picked out a pass card (so that it could be seen by other players at the table), replaced it in the box, picked out the STOP card and then bid 2♦ (Multi).

Director's ruling:

Table result stands

Details of ruling:

TD ruled that it had always been East's intention to bid 2♦: he had pulled the pass card out of the box by mistake instead of the STOP card. Immediate correction of inadvertency. Law 25A.

Note by editor:

Under EBU regulations a call is made when it is removed from the bidding box apparently intentionally. It may only be changed thereafter when a Law permits it, such as Law 25.

Appeal lodged by:

North-South

Basis of appeal:

N/S believe that East changed his mind about his call (ie the original call was not inadvertent).

Director's comments:

When the TD was called to the table he allowed the bid of 2♦, and invited N/S to call him back at the end of the hand if they wished. He was not called at the end of the hand, but he was recalled at the end of the round after N/S had scored up with their team-mates.

Comments by West:

When East fiddled with his bid cards and picked one and lifted it – it was seen only by South (a pass card). He replaced the pass card and placed the stop card on the table.

Comments by East:

Not the swiftest bid I have ever made but I am suffering with my elbow having very recently had an injection of cortizone (see brace).

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

Bemused but cannot really see any change and think it was a mechanical error.

David Stevenson's comments:

Why did this go to appeal? The TD decided it was a mechanical error. Surely the deposit was at risk?

Laurie Kelso's comments:

The Committee, like the Director, have to be convinced that the initial action (removing the Pass card) was inadvertent, i.e. a mechanical error. Although a Director should not normally examine a player's hand when called in such a situation (because it may impart UI), a Committee has no such concerns. To me it seems inconceivable that East would contemplate a Pass holding this heavy 10 count. There is no evidence that the Director's initial determination of the facts was wrong, hence the table result should stand.

Herman De Wael's comments:

It is now my turn to be bemused at the Committee's decision.

Of course I mean their decision to refund.

A Director makes a technical ruling on the basis of facts told to him at the table, AND he even tells the players to call him back after play, in order to tell him something they might not feel able to during the bidding. When they don't, that should be the end of it.

Matthias Berghaus' comments:

The AC took the words right out of my mouth.

Fearghal O'Boyle's comments:

Looks like the TD and AC got this one right. All the available evidence points to a mechanical error. When East reached into the bidding box she was reaching for a STOP card and simply pulled out a PASS card.

Editor's comments:

Another case where the merit seems dubious.

APPEAL No 24: Another slow pass!

Tournament Director:

Bob King

Appeals Committee:

Jeremy Dhondy (Chairman) Dave Muller Bill Niccol

Swiss Teams Board no 12 Dealer West N/S vulnerable	♠KQ876 ♥Q108 ♦K10 ♣A86										
♠4 ♥AK76 ♦62 ♣KQJ1094	<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>		♠AJ1092 ♥432 ♦QJ85 ♣3
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠53 ♥J95 ♦A9743 ♣752										

WEST	NORTH	EAST	SOUTH
1♣	1♠	P	P
DbI(A)	P(H)	P	2♦
3♣	P	3NT	P
P	P		

Result at table:

3NT making by East, NS -400

Director first called:

During the bidding

Director's statement of facts:

Recalled at the end of hand. East claimed damage in that N/S didn't play in 1♠.

Director's ruling:

Table result stands

Details of ruling:

Before considering legality of 2♦, the TDs looked at possible damage. Their analysis suggested 1♠ -1 as probable, hence no damage.

Appeal lodged by:

East-West

Basis of appeal:

Director's analysis wrong.

Director's comments:

Not convinced that 2♦ is suggested by hesitation.

Comments by North-South:

East did not call the TD until after his partner had bid 3♣.

2♦ doubled would have been a worse result for N/S than 1♠ doubled. West had the opportunity to pass 2♦ to his partner who could have doubled.

Appeals Committee decision:

Score assigned for both sides:

1♠ doubled -2 by North, NS -500

Deposit returned

Appeals Committee's comments:

Committee considered South's bid of 2♦ was influenced by hesitation.

A normal defence to 1♠ would lead to 500. For example, a Club lead. Declarer wins and Ace and ♦ ruff and exits with a heart – now cash two clubs and play a trump - heart back and N/S have only five tricks.

David Stevenson's comments:

There certainly seem to be eight losers in 1♠ doubled, though North might be able to manage some sort of endplay. Of course, then there might be a case for a weighted score of some percentage of 1♠ doubled -2, and of 1♠ doubled -1. This might lead to a poorer score than that obtained at the table, which means no damage, so no adjustment.

But does pausing when 1♠ is doubled suggest a lack of confidence in 1♠ doubled as a contract? North might have been considering 2♠ as a pre-emptive ploy, for example. I am inclined to think that the pause does not suggest the 2♦ bid.

Taking this a bit further, the 2♦ bid on A9743 is strange when South has two spades opposite a Red (vul v n/v) overcall. Perhaps South's knowledge of his partner's style means he can interpret the pause correctly as poor spades so we should disallow 2♦?

Laurie Kelso's comments:

Since South holds two spades, Pass does appear to be a LA to 2♦. The real divergence of opinion between the Director and the Committee is in regard to the issue of damage. The Committee's analysis suggests that 1♠ would fail by two tricks. This implies that E/W have indeed been damaged because +500 (1♠X) is superior to +400 (3NT). South's removal from 1♠ was suggested by North's hesitation and hence an adjustment is warranted.

Herman De Wael's comments:

This case centers solely on damage, as the use of UI seems reasonably certain. I am not about to redo a play analysis, so I'll just side with the Committee because they can take more time and effort into this.

Matthias Berghaus' comments:

Of course 2♦ was influenced by the hesitation. Who removes to the 2-level in an indifferent 5-carder with a doubleton in partner's suit? Possible gain in 2♦x was irrelevant. 3♣ may not have been best, but it was not irrational or gambling. I agree with the AC's analysis.

Fearghal O'Boyle's comments:

West has continued to play 'bridge' i.e. his 3♣ bid is not wild and so he does not lose his right to redress.

There is no doubt that the 2♦ bid was suggested by the hesitation. Pass over 1♠ doubled is a logical alternative for South. If 1♠ doubled goes 2 off then the AC got it correct. However the AC 'normal defence' is not clear from the write-up and I fear declarer will manage 6 tricks somehow in which case there is no damage.

Ron Johnson's comments:

North/South's comments about the bidding are of absolutely no consequence. East/West do not have to avoid normal mistakes to be entitled to redress.

The only issues here are:

- a) Does South have unauthorized information – yes
- b) If passing 1♠ doubled a logical alternative for South – yes

I agree with the committee. It's possible that North could come to 6 tricks, but the defence suggested by the committee seems perfectly normal. And they get the benefit of the doubt.

Editor's comments:

It seems that the comments suggest circular reasoning: the hesitation makes 2♦ illegal if it suggests 2♦, and the hand that bid 2♦ proves that the hesitation must have suggested 2♦!

APPEAL No 25: Is it worth three or five?

Tournament Director:

Bob King

Appeals Committee:

John Young (Chairman) Malcolm Pryor David Baker

Swiss Teams Board no 7 Dealer South All vulnerable	♠A85 ♥KJ10 ♦QJ63 ♣KQ7	
♠Q1062 ♥A93 ♦AK754 ♣6	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠KJ9743 ♥Q752 ♦98 ♣2
	♠ ♥864 ♦102 ♣AJ1098543	

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
			3♣
Dbl	P(H)	3♠	P
4♠	P(H)(1)	P	5♣
Dbl	P	P	P

(1) North not convinced he hesitated here; other three players agree hesitation

Result at table:

5♣ doubled making by South, NS +750

Director first called:

After 5♣ call

Director's statement of facts:

Called after North bid 5♣, established facts re hesitations. Advised to complete bidding and play.

Recalled at end of play.

Director's ruling:

Score assigned for both sides:

4♠ making by West, NS -620

Details of ruling:

South has valued hand at three level, only unauthorised information changes this. Laws 73F1, 12C2.

Appeal lodged by:

North-South

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

We believe 5♣ bid was not evident therefore we rule there may have been hesitation. Pass is an obvious alternative. The deposit would have been kept if the N/S pair were more experienced.

David Stevenson's comments:

If a player judges his hand worth only 3♣ then he should not bid 5♣ once he has unauthorised information, and South needs to learn this.

I wonder about returning the deposit. While the principle of treating less experienced players with some delicacy is reasonable, there are now Appeals Advisors at all main tournaments. Presumably the TD will have reminded the player of this when giving his ruling, and the procedure is explained in the player's booklet. If the player had been to an Appeals Advisor and advised not to risk his deposit then he deserves to lose it once he appeals. If he did not bother with an Appeals Advisor then he also deserves to lose it.

Of course, the Appeals Advisor may have advised him to appeal! It is often suggested that Committees should know whether players have been to Appeals Advisors and what they advised but that would lead to problems: the Appeals Advisor only hear one side and their advice is based on that.

It has even been suggested that deposits should be safe once an Appeals Advisor has advised them to go ahead. Canny players would now tell the Appeals Advisor some story that makes him advise them to go ahead, secure in the knowledge that no-one else will hear the same story!

Laurie Kelso's comments:

I agree totally with the ruling and endorse the comments of both the Director and the Appeals Committee.

Herman De Wael's comments:

No comment, not even about the return of the deposit, since the Committee pre-empted me on that one.

Matthias Berghaus' comments:

Clearly put.

Fearghal O'Boyle's comments:

Another perfect TD ruling and AC decision.

West's double of 5♣ is not wild so he does not lose his rights to redress.

South has failed in his Law 73C duties to carefully avoid taking any advantage.

Ron Johnson's comments:

While I agree that South has unauthorized information and that pass is a logical alternative, I'm not clear that the unauthorized information suggests bidding 5♣. After all he could be contemplating a double. Still, I think I'd vote with this committee and uphold the director's ruling.

Editor's comments:

Full agreement this time.

APPEAL No 26: Five points is a lot, isn't it?

Tournament Director:

Malcolm Carey

Appeals Committee:

Andrew Thompson (Chairman) + 2 others

Swiss Teams Board no 12 Dealer W N/S vulnerable	♠A9 ♥A106 ♦QJ75 ♣AK76										
♠8532 ♥J743 ♦A8 ♣J102	<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>		♠KQJ107 ♥95 ♦K ♣Q8543
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠64 ♥KQ82 ♦1096432 ♣9										

Basic systems:

North-South play Acol + Multi

East-West play Acol + Multi

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
P	1♣	1♠	P
2♠	P(H)	P	Dbl
P	3♦	P	4♦
P	5♦	P	P
P			

Result at table:

5♦ making by North, NS +600, lead ♠K

Director first called:

At end of auction

Director's statement of facts:

Reserved rights at end of auction – called back at end of play. E/W contend that South's bid of 'Dbl' to re-open was not obvious and should not be allowed after the (agreed) hesitation by North.

Director's ruling:

Score assigned for both sides:

2♠ -1 by East, NS +50

Details of ruling:

TD disallowed the double as he ruled that pass was a logical alternative, especially as South could take no action over 1♠ (Law 16A). The auction this far marks North with a good hand but the hesitation makes continuation by South even safer.

Appeal lodged by:

North-South

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

Unanimously agreed that the director's decision was correct – the double of 2♠ is potentially dangerous and the risk has been lessened by the hesitation: also we don't think it is a 70% action.

Note by editor:

The definition of a logical alternative action in EBU events is one that at least 30% of a player's peers would find if playing a similar system and style. Thus if a call would be found by more than 70% of a player's peers there is no logical alternative to it and the call is considered evident. Note that the definition of logical alternative tends to be different outside the United Kingdom.

David Stevenson's comments:

As in appeal #25 South has taken a position on the first round, and can not change that position once he receives unauthorised information from partner on the second round. Here he has a fairly normal double of 1♠: once he passes it is not a routine double of 2♠!

Laurie Kelso's comments:

The only issue is whether the double is a 70% action, i.e. are there LAs? The Director and the AC decided that Pass was a LA and I agree.

Herman De Wael's comments:

It is nice to see that a Committee of this enormous size can still reach a unanimous decision!

For what it's worth - any size of Committee would still reach the same unanimity..

Matthias Berghaus' comments:

This was not worth a 1-level action, but now it's a double risking a 3♣ response. Hmm. Not in my book. I completely agree with TD and AC. Opposite a minimum opening (ever stopped at the 2-level with 22, 23 points?) this is much too risky at teams, vulnerable to boot. Give North some 3325 13-count and -1100 will shortly follow.

Fearghal O'Boyle's comments:

Another perfect TD ruling and AC decision.

Maybe South needs a lecture on Law 73C - he must carefully avoid taking any advantage of his partner's hesitation.

Ron Johnson's comments:

My only question is whether this rises to the level of a potential penalty for South for intentionally using unauthorized information. Probably not. Still, South needs to understand that his options are constrained by his partner's failure to act in a consistent tempo.

Editor's comments:

When Herman commented on this appeal there was only one name for the Committee: unfortunately the form did not list the two other people.

Too many people do not follow Law 73C, as Fearghal makes clear. Perhaps this is the time to remind people of what it says:

Law 73C. Player Receives Unauthorised Information from Partner

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.

APPEAL No 27: Do you protect?

Tournament Director:

Mary Hart

Appeals Committee:

Jeremy Dhondy (Chairman) Tim Rees Paul Spencer

Swiss Teams Board no 15 Dealer South N/S vulnerable	♠Q6 ♥1042 ♦J8754 ♣K95										
♠A4 ♥AQ75 ♦K109 ♣10743	<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>		♠J107532 ♥96 ♦Q63 ♣AQ
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠K98 ♥KJ83 ♦A2 ♣J862										

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
			1NT
P(1)	P	2♠	P
2NT	P	3♠	P
4♠	P	P	P

(1) Disputed hesitation

Result at table:

4♠ making by East, NS -620, lead ♣x

Director first called:

At end of hand

Director's statement of facts:

TD was called to the table by North who complained there had been a hesitation by West. This TD determined as disputed.

Director's ruling:

Score assigned for both sides:

1NT -1 by South, NS -100

Details of ruling:

TD feels West did have cause for a hesitation and that 2♠ over the hesitation was not what 70% of the room would do.

Note by editor:

The definition of a logical alternative action in EBU events is one that at least 30% of a player's peers would find if playing a similar system and style. Thus if a call would be found by more than 70% of a player's peers there is no logical alternative to it and the call is considered evident. Note that the definition of logical alternative tends to be different outside the United Kingdom.

Appeal lodged by:

East-West

Comments by North:

Before partner laid first card I reserved our rights. I leave decision to your committee.

Appeals Committee decision:

Table score re-instated

Deposit returned

Appeals Committee's comments:

Committee considered that 2♠ was an automatic action and thus table score stands.

David Stevenson's comments:

At the time the TDs consulted a few players plus the TDs who were better players, and it was felt that 2♠ was not at all evident. Later it was discovered that not only did the Committee consider it an automatic action but a large group of players did as well!

So, what do you think? Is 2♠ automatic?

Laurie Kelso's comments:

I don't believe that 2♠ is "automatic", however I have no problem with the Committee deciding that it is a 70% action!

Herman De Wael's comments:

I believe the Director must have thought only 68% of players would bid 2♠, and that the Committee thought it was 72%. Close ones are best decided by majority votes, and so the Committee must be given the benefit of the doubt.

Matthias Berghaus' comments:

I don't believe there is a logical alternative to 2♠, even though a hesitation was certainly possible, even probable. You just don't win in the long run by letting South declare 1 NT with the East hand.

Fearghal O'Boyle's comments:

I would have thought that 3 in 10 of East's peers would Pass, making it a logical alternative. But the AC know East's peers better than I do.

Ron Johnson's comments:

A good ruling by both the director and committee. I agree with the bridge judgement that passing out 1NT is not a logical alternative (and I'm less likely to see automatic actions than most players I know)

West is entitled to think through his problems. In so doing he places constraints on his partner. But that doesn't mean if it hesitates, shoot it.

Editor's comments:

The commentators seem as confused as we were at the time!

APPEAL No 28: What's the Double?

Tournament Director:

David Stevenson

Appeals Committee:

Jeff Smith (Referee)

Note by editor:

A Referee is an Appeals Committee of one person. This appeal was from Crockfords Final. A Referee is appointed for the weekend who will sit with others or on his own as he sees fit.

Multiple Teams is also referred to as Round Robin Teams.

Multiple Teams Board no 4 Dealer West All vulnerable	♠972 ♥95 ♦AK98 ♣10954										
♠Q5 ♥K103 ♦Q5432 ♣AJ7	<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>		♠643 ♥AQJ74 ♦J6 ♣KQ2
	<i>N</i>										
<i>W</i>		<i>E</i>									
	<i>S</i>										
	♠AKJ108 ♥862 ♦107 ♣863										

Basic systems:

North-South play Strong Club

East-West play Acol

WEST	NORTH	EAST	SOUTH
1NT	P	2♦(A)(1)	P
2♥(A)(1)	P	3NT	Dbl
P	P	P	

Result at table:

3NT doubled -3 by West, NS +800, lead ♦A

Director first called:

At end of hand

Director's statement of facts:

Before West's pass he asked the meaning of the double and was told by North

- 1 They had no agreement on the actual sequence
- 2 It could not ask for a diamond because South would have doubled 2♦
- 3 They play 1NT P 3NT Dbl as asking for an unusual lead
- 4 They play 1♦ P 1♥ P 1NT P 3NT Dbl as asking for a heart lead
- 5 North thought good hearts seemed the most likely reason but was not sure

North then led the ♦A. From dummy nothing made sense except good spades South so he switched to a spade.

Director's ruling:

Table result stands

Details of ruling:

No misinformation. North told them the extent of his agreements plus all other relevant agreements,

Appeal lodged by:

East-West

Basis of appeal:

That North did not make it clear he had no agreement

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

My decision was made after consultation.

I was actually watching the hand being played and certainly did not get any impression of misinformation. Indeed, the North player took great pains to ensure that his opponents knew there was no agreement on the actual sequence and explained their agreements on related sequences only. Although a heart stack was suggested it clearly was no more than a suggestion and I feel the West hand merely took a view to pass 3NT doubled (which could have been right had East held ♠Jxx) and that he was fully informed of the opponents' agreements which did not include a heart stack specifically.

David Stevenson's comments:

There really does not seem to be any misinformation.

Laurie Kelso's comments:

I have nothing to add. The ruling is self-evident given the facts as related by the Director and later expanded upon by the Referee.

Herman De Wael's comments:

Have you ever received an explanation as long as that one? And still you complain?

Matthias Berghaus' comments:

How could North have done more? From the director's statements I gather that North did everything he could short of looking at his partner's hand and writing it down. Where E/W got their basis of appeal from I can't imagine. This looks meritless to me.

Fearghal O'Boyle's comments:

The TD observed the incident and investigated the matter thoroughly. Surely this must be a candidate for 'frivolous appeal of the year'?

Ron Johnson's comments:

It would be nice if we could have a trained observer at the table all of the time. Particularly in important events.

I'm impressed with the detail provided by North. I see no basis for complaint by West. It seems to me he was fully informed that there was no agreement on this specific sequence.

Editor's comments:

Perhaps the fact that the Referee was present for two days and but for this appeal would have had nothing to do for the whole time made him sympathetic to this appeal!

APPEAL No 29: An excellent distribution, but ...

Tournament Director:

John Pyner

Appeals Committee:

David Burn (Chairman) Paul Fegarty Jeff Smith

Swiss Teams Board no 11 Dealer South Nil vulnerable	♠ 93 ♥ 108 ♦ 64 ♣ AKJ10972	
♠ AKJ95 ♥ K653 ♦ AJ87 ♣ ---	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ Q ♥ 72 ♦ KQ109532 ♣ 854
	♠ 107642 ♥ AQJ94 ♦ -- ♣ Q63	

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
			P
1♠	3♣	P	4♣
Dbl	P	4♦	P
5♦(H)	P	6♦	P
P	P		

Result at table:

6♦ making by East, NS -920, lead ♣A

Director first called:

At end of auction

Director's statement of facts:

Recalled by N/S at end of play, having directed play to continue. N/S protested East's 6♦ bid. When asked why he had bid 6♦, East said that since he could have held zero points for his bid of 4♦, then over West's 5♦ it is clear to bid slam.

N/S would have been more sympathetic if East had held ♠ Qx ♥ x

Director's ruling:

Score assigned for both sides:

5♦ +1 by East, NS -420

Appeal lodged by:

East-West

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

Although East has underbid seriously at his second turn (and perhaps his first), he is not permitted to use information from West's tempo to re-evaluate his assets. We have some sympathy for the notion that West's pause might have been a near-pass, rather than a near slam-try, but on these occasions partner usually turns up with extra values, and that is the unauthorised information conveyed.

David Stevenson's comments:

Another appeal like #25 and #26 where a player makes a decision one round and then adopts a more optimistic stance after receiving unauthorised information from partner. On this hand it is easy to be sympathetic but the adjustment seems automatic.

Laurie Kelso's comments:

I think this is one of the closest decisions among the 31 cases presented. I believe a majority of players would have raised 5♦ to six, however I respect the Committee's decision that it would not have been as high as 70%.

Herman De Wael's comments:

West's hesitation can still show two things, in my opinion. "If partner really has nothing, am I right in going to 5?" seems to be the other. I don't buy the argument that in these kinds of cases, West always has more. I think East was justified in taking the gamble. This kind of bidding can never go as smooth as one would wish.

Matthias Berghaus' comments:

Experience shows that your friendly neighbourhood overbidder is quick about it. As the AC said: East underbid at least once (would 3♦ be forcing?), now he is not entitled to reverse his decision when partner hesitates.

Fearghal O'Boyle's comments:

Another perfect TD ruling and AC decision.

Ron Johnson's comments:

The ruling here is on target as are the remarks of the committee.

Editor's comments:

More close judgement and consequent disagreement amongst the commentators!

APPEAL No 30: I am taking it as penalties

Tournament Director:

David Stevenson

Note by editor:

Appeal withdrawn when it was found that it could not affect result of match

Knockout teams Board no 15 Dealer South N/S vulnerable	♠AQJ10 ♥Q ♦K964 ♣A932	
♠--- ♥AJ832 ♦QJ87 ♣K754	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠K8763 ♥6 ♦10532 ♣J108
	♠9542 ♥K109754 ♦A ♣Q6	

Basic systems:

North-South play Blue Club

East-West play 5 card majors

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
			2♦(A)(1)
2♥	Dbf(2)	P	P
P			

(1) Multi

(2) Asked: described as "I am taking it as penalties"

Result at table:

2♥ doubled -4 by West, NS +800

Director first called:

At end of hand

Director's statement of facts:

As opening lead made North corrected explanation of double: it was asking South to pass with hearts, bid otherwise.

East claimed that with a correct explanation either he or his partner might have removed.

Director's ruling:

Score assigned for both sides (Law 12C3):

50% of 2♥ doubled -4 by West, NS +800
+ 50% of NS +300

Details of ruling:

East's action not affected.

West's action may have been affected (Law 21B).

50% NS +300 is a compromise between various possible results

Appeal lodged by:

Both sides

Basis of appeal:

N/S: Wrong explanation made little difference

E/W: With correct information would always take out.

Director's comments:

Ruling given after consultation with other Directors and two good players.

Appeals Committee decision:

Appeal withdrawn by both sides

Both deposits returned

David Stevenson's comments:

Complications often seem to follow when someone says "I am taking it as". Often they are merely trying to be helpful, but it often causes trouble. Currently the L&EC is trying to get people to call the TD quicker in potential misinformation cases, and here the TD would have been able to sort it out if only he had been called immediately after South's comment.

Laurie Kelso's comments:

North should have corrected South's explanation before the opening lead was faced. The Director would then have been able to give West the opportunity of withdrawing the final Pass and substituting another call (Law 21B1). This would have removed most of the E/W grounds for requesting a ruling and hence the appeal. I agree with the Director that East's actions would probably be unaffected by the correct explanation.

The initial "I am taking it as..." is an unacceptable description of any systemic agreement, so E/W should have summoned the Director at this point in proceedings if they were unhappy.

If West knows there is a six-card heart holding on his right, I am sure he will instigate some sort of escape manoeuvres. 3♦X looks like the safest spot and I would award an adjustment based on that contract (N/S +300). I can't imagine West sitting 2♥X and therefore the allocation of a 50% weighting to the table result (via Law 12C3) seems in my view to be unwarranted.

Herman De Wael's comments:

If the AC does not comment, then neither shall I.

Matthias Berghaus' comments:

I take it from the director's statement that the opening lead was already faced and it was too late to back up the bidding (see details of ruling.). If West removes, either 2NT (minors, surely?) or XX, intending to redouble 2♠x for rescue again may be in the picture, though the second variation may be a bit dangerous. Any reasonable removal-sequence leads to 3♦x, so a score for this should have been found and worked into the 12C3 ruling, which in itself is reasonable. West may well sit it out, so some percentage looks right. I just don't believe in various possible results, but this auction is unusual enough for me to be quite wrong. In any case the director's decision is a well-reasoned practical decision. You can't take half an hour for this, the AC could if necessary. South explanation of the double can only be tolerated because of the possibility that he thought North had forgotten an agreement, otherwise it would be indefensible.

Fearghal O'Boyle's comments:

A difficult one. N/S need Law 75 explained to them. North should not have corrected the South's explanation until the hand was played out. Also I don't think "I am taking it as penalties" is an acceptable answer, particularly when South is pretty sure that it is not penalty!

If E/W were happy to sit in 2♥ when they thought North had the Hearts, why would they move if they learned that South had the Hearts?

Table result stands and a lecture/penalty against N/S.

Ron Johnson's comments:

Again I'd like to have been there. I agree with the basics of the ruling (in particular that East would never be affected), however I would expect West to run more frequently than half the time. The score looks a little bit generous to N/S (especially in light of the note about sympathetic weighting in appeal #31)

I think 70% +300, 30% +800 seems closer to the mark.

Editor's comments:

Laurie seems to have missed the fact that a defender corrected his partner's explanation, which should not be done before the end of the hand. Still, once that had happened, it would have been better if the TD had been called immediately.

Be fair, Herman: the Committee never saw the hand!

Of course, Matthias, the TDs will take half an hour if necessary to decide. No judgmental ruling should be given in under 30 minutes, and in the Spring Foursomes an hour is more normal. Incidentally, the TD was first called at the end of the hand so could not back up the bidding.

APPEAL No 31: Sort of Lebensohl

Tournament Director:

Mike Amos

Note by editor:

Appeal withdrawn when it was found that it could not affect result of match

Knockout Teams	♠ 832	
Board no 2	♥ KQJ1072	
Dealer East	♦ 86	
N/S vulnerable	♣ 104	
♠ AKQ7 ♥ A84 ♦ QJ92 ♣ 97	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ J64 ♥ 6 ♦ A105 ♣ KJ8632
	♠ 1095 ♥ 953 ♦ K743 ♣ AQ5	

WEST	NORTH	EAST	SOUTH
		P	P
1NT(1)	2♥	2NT(A)	3♥
3♠	P	4♠	Dbl
P	P	P	

Result at table:

4♠ doubled making by West, NS -590, lead ♥K

Director first called:

At end of hand

Director's statement of facts:

Before bidding 3♥ South asked meaning of 2NT – told “sort of Lebensohl – I have to bid 3♣”.

Before his next call South asked further questions. It now emerged that 2NT was not standard Lebensohl (whatever that is) but transfer to clubs showing invitational values – E/W's convention card shows transfer for bids over intervention but is silent on values required.

South argued that if he had not bid 3♥ which he would not have if he had known 2NT showed invitational values West may have bid 3♣ and game in 4♠ would not have been reached (3♠ in fact showed five spades, double would have shown four) without intervention. Even if 3♠ had been bid East might not have bid 4♠ because 3♠ would have shown four or perhaps five spades.

South further argued that if he had not bid 3♥ his double of 4♠ “out of the blue” would clearly indicate club values and the contract would be defeated on a club lead. E/W argued in contrast that the contract would still make.

Director's ruling:

Score assigned for both sides (Law 12C3):

50% of 4♠ doubled -1 by West, NS +100
+ 50% of 4♠ doubled making by West, NS -590

Details of ruling:

E/W are the offending side in that the explanation of 2NT was clearly inadequate and constituted misinformation. There are two issues: South's assertion that he would not bid 3♥, and South's assertion that after a pass then a double North would lead a club.

South's arguments that if he had not bid 3♥ E/W might not have bid game was rejected by the TDs.

After three rounds of clubs west can ruff high and rely on spades 3-3. Discarding on the third club and relying on the diamond finesse is a second reasonable line. The first succeeds: the second fails.

Overall the TD thought that the contract would succeed slightly more often than fail. As E/W were the offending side a small penalty has been assessed.

Note by editor:

When applying Law 12C3 to give a weighted ruling, the EBU recommends a “Sympathetic weighting” giving a slight bias towards the non-offenders: this is to discourage offenders and to give the non-offenders the benefit of any doubt.

Some authorities prefer a “True weighting” with no bias. They recommend Procedural Penalties to the offending side to discourage them, though these are rarely given in practice.

Appeal lodged by:

Both sides

Appeals Committee decision:

Appeal withdrawn by both sides

Both deposits returned

David Stevenson’s comments:

South claimed that he would not have bid 3♥ if he knew 2NT shows clubs, but he did when he thought it was Lebensohl? This sort of argument worries me: it looks like an attempt to win through the Laws and via adjustments rather than a real attempt to play bridge.

Laurie Kelso’s comments:

Both the ruling and adjustment seem well reasoned. I am however sceptical that North would always find the club lead in response to South's double after an uncontested auction. Consequently I think the weighting assigned to 4♠X -1 should be less than 50%.

Herman De Wael’s comments:

If the AC does not comment, then neither shall I.

Matthias Berghaus’ comments:

It would have been nice to know the range for 1 NT. Sometimes you get stuck in a part-score despite 25 HCP between your hands. But I accept the TD’s judgement in this. So the application of Law 12C3 is certainly called for. Now for the percentages. In an auction without a 3♥ bid it is very likely that the contract will be defeated. A finesse through the bidder is much more likely to be successful than reliance on a 3-3 break. (We will accept the argument for the club lead here). But 3♥ is still in the picture. E/W are extremely unlikely to have a game here when partner can bid over 1NT. North’s 2♥ in red is not exactly automatic. Usually you will give up the part-score battle if you pass with the South hand. This will lead to the heart lead, as we have seen. So I make the probability of –590 around 70%, but I have taken the better part of 50 minutes for this analysis, and I’m still not sure I got it right. For a practical TD decision 50% is good enough for me.

Fearghal O'Boyle's comments:

Another difficult one. Do we know the strength of the 1NT opening? Assuming E/W have invitational values opposite a maximum opening, I think they will be able to convince the AC that they will get to 4♠ even if South does not bid 3♥. It also appears that South has not argued to have his 'double' retracted but instead wishes to leave it there as a lead-directing 'double'.

In that case the Director's ruling is well reasoned. Presumably the 'small penalty' was assessed because E/W are habitually forgetting their system?

Ron Johnson's comments:

There is a case that I'd really like to have been there for. My inclination here would be to rule that the result stands; that the double is not a consequence of the misinformation – a requirement for a score adjustment.

I'm not at all persuaded that:

- a) South would have passed (rather than calling 3♥) with a true explanation or
- b) Even if he did pass and then double out of the blue that the double is lead directional in clubs.

I would support a procedural penalty against East-West for the misinformation. In most cases I would suggest nothing more than a warning. If they have been warned before about giving inadequate explanations then a score penalty would be appropriate.

Editor's comments:

Be fair, Herman: the Committee never saw the hand!

As with appeal #30, Matthias, time is not the problem: if the TD's need 50 minutes for an analysis then they will take that long.

I think, Fearghal, that the TDs really meant the normal bias in Sympathetic weighting rather than an actual penalty.

Final comments from the Editor:

Overall, it seems to me that the standard of decisions by Appeals Committees was very high, and the rulings by Tournament Directors were also excellent.

However, there was one unfortunate feature: there were a lot of frivolous appeals this year, and the extreme leniency of the Appeals Committees meant that far too many deposits were returned, so the players will continue to make frivolous appeals, and waste everyone's time. At the Summer Meeting in Brighton there are Appeals Advisors who should persuade players not to make frivolous appeals.

Last year some people who read the booklet said that the comments by the players were somewhat sparse. Unlike some organisations, the EBU does not have scribes at its appeals, so there are only usually comments by the players where the players themselves have written on the appeals form. Similarly, much of what is said at the appeal is not written down so does not appear. Perhaps, if this booklet is seen as a success, it might be possible to arrange scribes in future years.