



2006

APPEALS

Edited by David Stevenson

WELSH BRIDGE UNION

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All the appeals from the WBU events have been included herein. It is hoped that they will provide interest and an insight into the way that people in Wales are ruling the game.

After the success of the earlier editions it was decided to repeat this publication. This publication has been put on David Stevenson's Lawspage, and 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 Chairman, Anne Jones. 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 Chairman or the Editor is detailed on the next page.

Comments have been made on the appeals by an international group of people who have donated their time, for which we thank them. Also thanks are due to Peter Eidt of Germany and Jeffrey Allerton of England for doing the proof-reading.

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Commentators

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

David Stevenson (b. 1947), the Editor, is an International Tournament Director from Liverpool, England. He has served as a member of the Tournament Appeals Committee of the World Bridge Federation, and on Appeals Committees in the ACBL, Scotland, Ireland, South Africa and Sweden. He is a member of the Laws & Ethics Committees in England and Wales. He was formerly the Secretary of the European Bridge League Tournament Directors' Committee, a commentator in the ACBL appeals books and Chief Tournament Director of the WBU. He hosts forums for Bridge Rulings and Appeals Committees.

Adam Wildavsky (b. 1960) of New York City is a Senior Software Engineer for Google, Inc. He has been interested in the laws since he became the director of the MIT Bridge Club in 1979. Adam is the vice-chairman of the ACBL Laws Commission and a member of the NABC Appeals Committee, an ACBL casebook commentator, and a contributor to the Bridge Laws Mailing List. He won a Bronze Medal in the 2003 Bermuda Bowl in Monaco. His interest in the laws is informed by his study of Objectivism, the philosophy of Ayn Rand. His web site is www.tameware.com.

Alain Gottcheiner is a Belgian, occasional TD, has had some successes in national championships, has written about conventions and systems and is known as a "systems freak". His main appointments as an AC member are as an expert about strange conventions. His other fields of interest include mathematical anthropology, the sociology of games and 'dolichotrichotomy'.

He has a general tendency towards severity to UI and MI, but dislikes lawyering attitude more than anything else.

Barry Rigal (b. 1957) lives in Manhattan with his wife Sue Picus. He is chairman of National Appeals for the ACBL and a full time bridge player, writer and commentator. His tournament record includes most of the major UK National titles and two US National titles.

He is currently working on an exposé of top-level bridge (after which he expects he will never eat lunch in this town again).

Bob Schwartz (b. 1945) is a computer consultant. Member of the ACBL Board of Governors, ACBL National Appeals Committee and the ACBL Competition and Conventions Committee. Married (over 30 years) with 3 children. Likes golf and poker--tolerates bridge.

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

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Abbreviations

There are some abbreviations, and they are listed here:

WBU	Welsh Bridge Union
EBU	English Bridge Union
ACBL	American Contract Bridge League
L&E	Laws & Ethics Committee
L&EC	Laws & Ethics Committee
WB	EBU White book, containing regulations for TDs and ACs
OB	EBU Orange book, containing regulations for players
WBF	World Bridge Federation
TD	Tournament Director
Director	Tournament Director
AC	Appeals Committee
Committee	Appeals Committee
LA	Logical alternative
AI	Authorised information
MI	Misinformation
UI	Unauthorised information
BIT	Break in Tempo [a hesitation, or over-fast call]
PP	Procedural penalty [a fine]
NOs	Non-offenders
N/S	North-South
E/W	East-West
!	Alerted
...	Hesitation [agreed]
(1), (2) etc	References to notes below
P	Pass
♠♥♦♣	Spades hearts diamonds clubs
Dbl	Double
Redbl	Redouble
NT	No-trumps
Benji	Benjamin: a popular name for a form of Acol where 2♣/♦ openings are strong and artificial, 2♥/♠ openings are weak

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General

From the 1st August 2006 a new Orange book applied in Wales. You can download a copy from the EBU L&EC website – see Contacts. There were major changes to the alerting rules. The most important changes were: first the introduction of “Announcements” for the ranges of 1NT openings, for Stayman and simple Transfer responses, and for natural Two level openings; and second that alerting above 3NT was usually stopped. Both appeals in this publication occurred before the change.

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 N/S 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 probably at least one experienced player. Thus he or she is not solely responsible for the ruling – on rare occasions he or she may not agree with it himself or herself.

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APPEAL No 1: Double of a late alerted bid

East Wales Congress 06.001

Tournament Director:

Carl King

Director-in-Charge:

Ken Richardson

Appeals Committee:

David Harris (Chairman) Chris Jagger Adrian Thomas

Board no 8 Dealer West Nil vulnerable Swiss Teams	♠ K Q 9 8 4 3 ♥ A K Q 3 ♦ ♣ T 7 6	
♠ A T 6 ♥ T ♦ K J T 9 8 2 ♣ K J 8	<i>N</i> <i>W</i> <i>E</i> <i>S</i>	♠ 5 ♥ 6 5 4 ♦ A Q 6 4 3 ♣ A 9 4 3
	♠ J 7 2 ♥ J 9 8 7 2 ♦ 7 5 ♣ Q 5 2	

Basic systems:

North-South play 2 over 1 game force, 14-16 NT, short club
 East-West play Acol, new suit forcing, 10-12 NV, 12-14 rest

WEST	NORTH	EAST	SOUTH
1♦ ! (1)	1♠	2♠ ! (2)	Pass
3♣ ! (3)	Dbl	3♠	4♥
5♦	5♥	6♦	Pass
Pass	Pass		

- (1) 3+ Diamonds
- (2) Good raise in Diamonds
- (3) General force, may not have clubs

Result at table:

6♦ -1 by West, NS +50, lead ♥K

Director first called:

At end of hand

Director's statement of facts:

TD was called by West who felt he was damaged in the play of the hand as South failed to alert North's double (of 3♣) so West played him for length in Clubs, playing South for the ♣T. West did not enquire about the meaning of the double.

The double was made in tempo, after which the 3♣ bid was alerted. North was then offered the chance to change his call.

Director's ruling:

Table result stands

Details of ruling:

The double should have been alerted as the Club bid is a general force. Law 21B.

South bid 4♥ after this double which clearly showed it was takeout. OB page 19.

West had an opportunity to ask about the double without putting his side's interests at risk, hence result stands. OB page 20.

Note by editor:

Page 19 of the 1998 Orange book indicates that a takeout double in this situation was considered 'Natural' and therefore not alertable.

Page 20 of the 1998 Orange book includes the following:

5.5.1 If you claim to have been damaged because your opponents failed to alert a call, and it is judged that you were aware of its likely meaning, you would fail in your claim if you had had the opportunity to ask without putting your side's interests at risk.

Appeal lodged by:

East-West

Director's comments:

The situation of an overcaller doubling on the second round is common practice in tournament play showing a good overcall and/or other suit(s). Declarer should be inquiring about possible meanings before the opening lead as they are not putting their interests at risk.

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

No infringement by N/S. Therefore no basis to vary ruling – ie result stands.

It's Wales.

Director-in-Charge's comments:

The Committee felt that because of the late alert of 3♣, North's double was not intended as showing Clubs nor was it in principle for penalties and so South was correct not to alert. Following the late alert North chose not change his bid, letting the double stand. The confusion over the meaning of North's double was caused by East's late alert, West should have wondered how North could at first double to deny Clubs then after the alert interpret North's double as now showing Clubs. A question to clarify the meaning of the double seems obvious.

Adam Wildavsky's comments:

This appeal had no merit.

What's the significance of the "It's Wales" comment?

"Forget it, Jake. It's Chinatown."

Alain Gottcheiner's comments:

First, most would have no agreement about the meaning of the double here. Now assume they had. Director-in-Charge's comments are a delight. And South has full right to know North doesn't hold clubs, L16C1.

Also, arguing that a double of a general-try 3♣ should 'obviously' show clubs is strange. It doesn't look like the best way to play it. Anyway, a question is indeed the right medicine.

West is guilty of 1st-degree lawyering.

What ? Return the deposit ? No, not again !

Barry Rigal's comments:

Meritless, meritless, meritless. If E/W are too foolish to know when to come in out of the rain, there is no obligation for the AC to provide shelter for them.

Bob Schwartz's comments:

The main problem seems to have occurred when the 3C bid was not alerted. North doubles showing a good hand and not alerted (I assume it should not be if 3C is natural). Then East alerts and North does not change his bid (does it now become alertable? I doubt it). It seems that E/W created the problem.

Result stands. I might keep the money.

David Stevenson's comments:

I see no reason for sympathy for declarer who knew of the confusion. He produced a strange line for his contract that looks like a pure "double shot" attempt. That means that he ran the ♣J, intending to finesse the 8 if the J is covered, which is basically a 25% line as against the 50% line of a straight finesse. If it fails then the TD might give him the slam as an adjustment, hence the name "double shot", where a player tries a strange attempt to score well, having his request for a ruling as his second effort. Since this was all quite clear, the appeal has no merit, and the deposit should have been kept.

However, I neither understand nor like the comment "It's Wales" by the AC, two-thirds of whom were English. It is difficult to think of any polite reason for this comment.

Frances Hinden's comments:

I would have kept the deposit. The various comments by the TD, AC and D-I-C explain clearly why E/W have no case. (What does "It's Wales" mean? That we aren't allowed to keep Welsh deposits?)

Jeffrey Allerton's comments:

In some circumstances E/W might have been given a PP for not having a fully completed convention card, but given the overall standard of convention cards at this event that would have felt a bit harsh.

I agree with the AC and with the comments made by the director-in-charge.

Presumably South can be relied upon to give an accurate count at trick one, so in any case it should have become apparent to West after stripping the major suits that North could not hold a penalty double of clubs.

Final summary by editor:

General agreement that the money should have been kept.

APPEAL No 2: It is worth one more, surely?

East Wales Congress 06.002

Tournament Director:

Carl King

Director-in-Charge:

Ken Richardson

Appeals Committee:

David Harris (Chairman) Mike Tedd Jeremy Dhondy

Board no 17 Dealer North Nil vulnerable Swiss Teams	<p>♠ K T 8 4 3 2 ♥ K J 9 5 ♦ 8 ♣ K 4</p>	
<p>♠ ♥ Q T 4 2 ♦ K T 9 7 5 2 ♣ Q T 6</p>	<p><i>N</i></p> <p><i>W</i> <i>E</i></p> <p><i>S</i></p>	<p>♠ A 6 5 ♥ A 8 7 6 ♦ A ♣ A J 9 8 3</p>
	<p>♠ Q J 9 7 ♥ 3 ♦ Q J 6 4 3 ♣ 7 5 2</p>	

<i>WEST</i>	<i>NORTH</i>	<i>EAST</i>	<i>SOUTH</i>
	1♠	Dbl	3♠
4♥	... Pass	Pass	4♠
5♥	Dbl	Pass	Pass
Pass			

Result at table:

5♥ doubled –1 by West, NS +100

Director's ruling:

Score assigned for both sides:

4♥ making by West, NS –420

Details of ruling:

After the 3♠ bid North failed to go on to 4♠.

South bid the maximum of his hand after the double. If he had intended to bid 4♠ he should have bid it straight away.

TD believes that at least 30% of people in this room would pass 4♥. 4♠ is not a 70% action.

Note by editor:

In Wales a Logical Alternative is an action that would be found by at least 30% of a player's peers.

Appeal lodged by:

North-South

Director-in-Charge's comments:

The appeal was held at the end of play when players were in a hurry to return home. The E/W pair didn't attend the appeal, neither did the TD who had a train to catch.

The TD had cautioned the N/S pair that they stood a very good chance of losing the £30 deposit.

Comments by East-West:

West: Over my bid of 4♥ (after 3♠) North hesitated for a long time before passing. South who had bid the limit of his hand before with 3♠ now bid 4♠. I bid 5♥ which was doubled by North holding KJ9x and this went one off. I called the Director who ruled that 4♥ made should stand.

Appeals Committee decision:

Director's ruling upheld

Deposit returned

Appeals Committee's comments:

South having judged it right to bid 3♠ should not have sought to try and guess what it was right to do after partner's agreed hesitation and pass.

The committee considered carefully whether or not to retain the deposit, and then returned it – just.

Adam Wildavsky's comments:

I see no merit in this appeal.

Alain Gottcheiner's comments:

There should be a general jurisprudential rule that, for anybody who pre-empted or made a "limit" bid, passing thereafter is always a LA, unless perhaps he was playing games (in trying to be doubled in a higher contract), but the latter should be an obvious case to be allowed. Whatever South's intent (too strong for a preempt and too weak for a limit 3♠, in my view), this case would be covered by said jurisprudence. The AC is right.

Barry Rigal's comments:

Where have I heard the words 'Meritless, meritless, meritless' before. Ah yes, it's Wales.

Bob Schwartz's comments:

Keep the money. As a footnote I might add that if all players are good I would almost always bid 4S over 4H. It is wrong only if both contracts go down. However, that decision is North's NOT South's.

David Stevenson's comments:

How clear does it have to be before they keep the deposit? This is totally without merit.

Frances Hinden's comments:

I don't like the TD telling N/S that they were likely to lose their deposit: that isn't the TD's job. In fact, I think this ruling is more marginal than many of the English ones, as it's not obvious that the hesitation over 4H suggests bidding 4S; when you have a singleton heart perhaps partner was thinking of doubling. It's not inconsistent to bid 3S on the first round in case that buys it, but when West bids 4H and partner cannot double you now think you have a good save and try 4S. It would have been helpful to know what South's stated reason for bidding 4S actually was. All that said, I think the TD and AC ruling is probably correct.

Jeffrey Allerton's comments:

Unfortunately, the basis of appeal was not recorded on the form. There are only two possible arguments:

- (i) that North might equally have been considering doubling 4♥ as bidding 4♠, in which case the hesitation might not demonstrably suggest South bidding 4♠ over passing.
- (ii) that passing out 4♥ is not a logical alternative.

I reject argument (i) as it is substantially more likely that the pause was based on a hand considering bidding 4♠.

I reject argument (ii) as I suspect that a significant proportion of 3♠ bidders would pass out 4♥.

This was also the TD's view, but he could have sought confirmation of his judgement by carrying out a poll of East's peers.

Is it correct procedure for the TD to advise would-be appellants on his estimate of the probability of them losing their deposit? This would be a good situation for an appeals advisor (are they ever used in Wales?) whereby E/W could obtain an informal opinion from an independent person.

The appeal deposit was returned "just". It would have been helpful if the AC had recorded why they considered retaining the deposit and why they eventually decided not to do so.

Final summary by editor:

Most commentators thought it without merit. Why do ACs return deposits when the appeal is meritless?

FINAL COMMENTS

Alain Gottcheiner's comments:

There were even more [-expletivesdeleted-] appeals, and I'm a little stumped by this. Could we imagine making clear announcements that frivolous appeals by experienced players will be penalized in other ways than keeping money (which, as you will read, is already too uncommon IMNSHO)?

Ah yes, rather than general bidding approach, which is often irrelevant, it would be helpful to commentators to mention the level of the competition and the expertise level of the case's actors whenever they're known.

Barry Rigal's comments:

I may just be in a bad mood but there do seem to be some pretty terrible rulings and decisions here. And meritless appeals; you want'em, we got'em!

Bob Schwartz's comments:

I wish the write-ups of these appeals provided more information as reflected in a lot of my comments. I find far too many of these cases where the TD is not called at the proper time. In our national events the players are identified by name – I would suggest this procedure for your cases as well. It tends to discourage players from embarrassing themselves as well as identifying people who tend to appeal far too often. As usual the deposits are not kept nearly enough times. I would prefer not seeing any referee decisions – the give and take in committee discussions is too valuable to do without.

David Stevenson's comments:

As usual, the clearest thing wrong is that ACs continue to return deposits in frivolous appeals.

Jeffrey Allerton's comments:

Once again, we see a very small number of Welsh appeals. Unless Welsh players are the best in the world at avoiding infractions, I conclude that the Welsh tournament directors have done an excellent job in giving, and communicating to the players, correct and fair rulings during the year.

Final summary by editor:

Every year there are several meritless appeals. This wastes time for the respondents, the TDs, the AC members, and the Commentators. What can be done? It has been suggested that ACs should penalise rather than keep deposits, as in Australia. But this has missed the point: the ACs are not applying their powers. If the ACs kept several deposits it would get talked about, complained about, letters to the Welsh Bulletin, and so on – and there would be fewer appeals without merit. But while ACs let players get away with meritless appeals, it does not matter what is the sanction – because they are not applying it!

There have been comments suggesting TDs should conduct player polls. Over the last few years, this has been more and more of a recommendation to TDs, who always consult over judgement rulings anyway. The recommendation now is to consult some players as well as another TD, or make sure you consult with the two or three TDs who are also top class players. But we do not know whether this has been followed in many cases, so perhaps another recommendation would be not only to conduct player polls but also to write on the Appeals form the results of such a poll.

One suggestion was about providing the level of expertise of players and competition. Of course, Welsh players get some idea from the competition itself: perhaps I should explain the competitions to our overseas commentators. But there is currently a suggestion that Master Point Ranks should be shown on Appeals forms, so we might have some idea in future.

Finally, there is a lack of information given on the form. Much depends on the Chairman of the AC. While there is pressure to fill in some more detail perhaps the WBU might consider scribes as in the ACBL so that the important parts of what is said at the AC are noted and can be included in future booklets.