



**MINUTES OF THE MEETING OF THE EBU LAWS & ETHICS COMMITTEE
HELD AT YOUNG CHELSEA BRIDGE CLUB, GOLDHAWK ROAD, LONDON W12
ON MONDAY 24TH FEBRUARY 2020**

Present:	Heather Dhondy (HD)	Chairman and Elected Member
	Robin Barker (RB)	Deputy Chief Tournament Director
	Sarah Bell (SB)	Elected member
	David Burn (DB)	Elected member
	Martin Pool (MP)	Elected Member
	Gordon Rainsford (GR)	EBU Chief Executive
	Tim Rees (TR)	Elected Member
	Alan Wilson (AW)	Elected member
	Nick Doe (ND)	Secretary
Apologies:	Gillian Fawcett (GF)	EBU Vice Chairman
	Frances Hinden (FH)	Vice Chairman and Elected Member
	Ian Payn (IP)	EBU Chairman

1 Procedural matters

1.1 Election of Chairman and Vice-Chairman for 2019/20

ND called for nominations for Chairman. HD was proposed by MP and seconded by TR. There being no other nominations HD was duly elected as Chairman for the 2019/20 Committee year.

FH was proposed as Vice-Chairman by DB and seconded by HD. There being no other nominations FH was duly elected as Vice-Chairman for the 2019/20 Committee year.

The Committee regretted that it had not been possible to find a date when all members could attend, and the consequent absence of FH when the meeting had been arranged for the only date on which all but one of the elected members were available.

2 Minutes of the previous meeting

2.2 Accuracy

The minutes of the meeting of 23rd October 2019 were approved and signed.

2.3 Matters arising

2.3.1 Disciplinary matters (items 4.3, 4.4, 4.6 and 4.7)

The Committee noted as follows:

- a. (item 4.3) The Bye-law change recommended by the Committee had been adopted at the AGM, so the revised wording and additional sanction available were applicable in the case of disciplinary proceedings arising after that date.

- b. (item 4.4) In the case of the dispute between a member and a club in relation to which the parties had been offered the use of the Mediation Service, the member had accepted, but the club had declined, so the matter was closed.
- c. (item 4.6) The requested amendments to the Disciplinary Recommendations document had been made and the new version was being circulated to all Prosecution Panels and Disciplinary Committees appointed for new cases.
- d. (item 4.6) The existing members of both Prosecution and Disciplinary Panels had expressed willingness to continue, so the Panels were unchanged for 2020, except for the addition of Jeremy Dhondy to the Prosecution Panel.

2.3.2 1C opening (item 5.5)

The Committee noted correspondence arising from the minute: although it had not been decided to write to the player, the minute had come to the player's attention and correspondence had ensued with both the player and one partner, and the Committee noted that the partner's response appeared to justify some of the Committee's concerns.

It was agreed to write to the players to confirm that accurate disclosure was regarded as paramount, and that they should be in a position to give a full but concise answer to any questions asked by opponents at the table. The players would be asked specifically to respond to the question as to the circumstances in which they might open 1C with a void.

2.3.3 Regulations for rulings and Appeals in EBU Knockout competitions (item 8.1)

The Committee agreed that it was appropriate to consider this with other White Book issues at the next meeting.

3 Appeals to the National Authority

3.1 Appeal from the London Business Houses League

HD had been the referee on the original appeal. It was agreed that it was not necessary for her to withdraw while the appeal was discussed, but she would remain only to answer any questions Committee members had about the original appeal, and would take no part in the Committee's deliberations or any necessary voting.

The Committee did not consider that the appeal involved one or more of the specified grounds for an appeal to the National Authority to be heard. The appeal was therefore dismissed and the deposit forfeited.

It was agreed to inform the appellant that:

- a. an error of tournament direction or in the application of law or regulation had to exist in the decision of the referee or appeals committee in order for there to be grounds for an appeal to the National Authority. In this case the original TD had made such an error, but this had been corrected by the referee on appeal.
- b. A ruling under Law 73E2 involves an adjusted score, which engages Law 12C1(c), so that it is legal for a weighted score to be assigned on such a ruling. The decision on whether to weight the adjustment is therefore a value judgement, which was not grossly inappropriate in this case.

The appellant had also expressed the view that "there should be no direct contact between either side and the referee". The Committee disagreed – in many cases it is routine for an offsite referee to want to speak to the players.

4 Disciplinary Matters

4.0 Procedure

MP asked that the Committee consider the current procedure before going on to look at the specific cases on the agenda. Currently the Officers (i.e. the Chairman and Vice-Chairman) consider any new disciplinary matter, and may decide that no further action is warranted. Otherwise, the matter is considered by the full Committee, either by email if the matter arises when a meeting is not scheduled for some time, or at the next meeting. MP considered that this was a duplication of effort, and did not provide the saving in workload for Committee members that had been envisaged when the Prosecution Panel had been set up. He recommended that the Officers should either dismiss a matter or refer it direct to the Prosecution Panel, only referring to the full Committee if there were a feature of a particular case that they thought the Committee ought to consider first. TR observed that this was how he had envisaged the procedure should work when first adopted.

The Committee agreed with the recommendation, but thought that it was still useful if brief details were included with the papers for the following meeting, essentially on a “for information” basis.

It was agreed to draw this to the attention of Prosecution Panel members.

ACTION: ND

4.1 Mandelbrot

The Committee noted that there had been a further exchange with the statistical expert, but that the additional information requested was still not available. The Committee agreed to refer the matter to the Prosecution Panel without waiting for this further information.

ACTION: ND/MP

4.2 Pythagoras

The Committee noted that one player had been charged with a disciplinary offence, and had denied the charges. A disciplinary hearing would therefore be held in due course, and the EBU Chairman had appointed a Disciplinary Committee.

4.3 Zeno

This matter been referred to the Committee by the Selection Committee since the last meeting and had been referred to the Prosecution Panel. The Committee noted that a player had been charged with a disciplinary offence in relation to improper betting. The offence had been admitted and the EBU Chairman had appointed a Disciplinary Committee to consider the appropriate sanction.

4.4 Turing

A club had held a disciplinary hearing into an allegation of changing scores by a TD/scorer prior to upload of sessions to the EBU, and had expelled the member. There had been no appeal, the charge having been admitted, but the matter had come to the Committee because the club had considered the matter to be serious enough that the competent authority should consider whether wider disciplinary action was merited.

The Committee decided to refer the matter to the Prosecution Panel.

The Committee noted that the player had not responded to the letter requesting his comments. MP drew attention to the provision in the Disciplinary Rules that failure to provide full information to the Committee is itself an offence, and decided to write to the player to inform him that his failure to respond might be seen in this light.

ACTION: ND

4.5 Albinoni

A member, who had partnered the member charged in the Pythagoras case in some of the sessions where score changes were alleged, but was not actually subject to disciplinary proceedings, had complained of threatening communications from the Pythagoras defendant and from another member.

The Committee considered that it was necessary to defer a reference to the Prosecution Panel until such time as the Pythagoras disciplinary proceedings were concluded.

4.6 NGS abuse cases

The Committee noted that a number of members had been written to, with a variety of responses. No case had been considered sufficiently serious that disciplinary action was warranted, and no further action would be taken beyond reversing the exemptions inappropriately claimed. The adjustments would be processed as soon as possible.

4.7 Dispute between a member and a club (1)

The Committee noted the circumstances of a dispute. The club's Conduct Committee had decided not to proceed with a disciplinary case in response to the member's complaint. The member had asserted that it was procedurally inappropriate that this decision was the end of the matter and not subject to appeal or other review. On HD's instructions ND had responded to say that it was not surprising that the Model Club Constitution provided for no appeal against or review of such a decision, and the Committee was happy to endorse this response.

4.8 Dispute between a member and a club (2)

The Committee noted the circumstances of a dispute which had ultimately been resolved.

5 Technical Matters

5.1 Further discussion of possible Blue Book changes for 2020 – Alerting and Announcements

The Committee discussed a paper from FH which had endeavoured to focus the debate.

The Committee first considered a recommendation that it should be made explicit whether it was permitted to vary announcements in order to improve disclosure. The general view was that it was appropriate to permit variations, but that very long or complex announcements were not appropriate. However, problems might arise if a relatively short announcement was made, which led opponents to assume that there was nothing further that they needed to ask, when in fact there might be something not covered by the announcement which they needed to know. In order to address these issues players would be encouraged to add words along the lines of "but you might need more information" to announcements in appropriate cases, in addition to including relevant information about unusual methods prominently on system cards.

The Committee then discussed a number of proposals for specific changes to announcements. Specific proposals discussed included the following:

- Announce opening bids which would currently be alerted (e.g. 1C/2C/2D "strong and artificial", 2D "Multi" etc., although there was considerable support for the idea that 2S should be the highest opening announced in this way.
- Announce a wider range of transfer responses to opening bids, such as transfer responses to 1C openings.
- Announce natural responses that were "unexpected" in terms of strength (e.g. two over one game forcing, weak or invitational jump shifts, very weak raises; also forcing and wide-ranging 1NT responses).
- No announcements in contested auctions or after the first round of the auction.

It was not clear that a consensus had been reached but DB volunteered to write up his notes and circulate to all members so that the discussion could be continued with the benefit of further input from FH.

MP cautioned that if there were to be changes they needed to deliver a significant advantage over the current system to outweigh the disruptive effect that was inherent in any change.

It was agreed that as the Eastbourne Summer Meeting starts on 31 July, this, rather than the traditional 1 August, should be the implementation date for whatever changes were agreed. It was hoped that it would be possible to publicise the details on the website some time in advance of this date. An item in August's English Bridge would also be appropriate, and ND was asked to alert the Editor to the possibility.

ACTION: DB/ND, then all members

5.2 Strong openings

Notwithstanding the view taken at the last meeting, not to revisit the matter again, the Committee considered a paper from FH which set out the approach taken by other NBOs and supranational bodies.

A proposal from GR that the regulations should remain unchanged with one exception, namely that a singleton should count as one control and a void as two (but that singleton Aces and Kings should not be counted twice), was approved.

The Committee wished to emphasise that full disclosure of actual agreements is absolutely crucial in this area.

[Secretary's note (applicable to both items 5.1 and 5.2) - In the light of social distancing restrictions subsequently imposed and the virtual cessation of face to face bridge as a result, it may no longer be appropriate to introduce changes in accordance with the usual timetable.]

6. Applications for new permitted methods

None this time.

7. Reports from Tournament Directors

7.1 TD forms and comments to 19.014

7.1.1 19.010

<p>♠ 1064 ♥ K10 ♦ K108 ♣ Q10432</p> <p>♠ J973 ♠ KQ82 ♥ J92 ♥ 876 ♦ 93 ♦ QJ5 ♣ J875 ♣ AK6</p> <p>♠ A5 ♥ AQ543 ♦ A7642 ♣ 9</p>	<p>Board 26; Dealer E; Both vulnerable.</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 25%;">West</th> <th style="text-align: left; width: 25%;">North</th> <th style="text-align: left; width: 25%;">East</th> <th style="text-align: left; width: 25%;">South</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td>1♣¹</td> <td>2NT²</td> </tr> <tr> <td>Pass</td> <td>3NT</td> <td>Pass</td> <td>4♥</td> </tr> <tr> <td colspan="4">All pass</td> </tr> <tr> <td>1</td> <td colspan="3">3+ clubs so not announced or alerted</td> </tr> <tr> <td>2</td> <td colspan="3">not alerted but announced as strong</td> </tr> <tr> <td>Lead: ♦ 9</td> <td>Result: 4♥= by S</td> <td colspan="2">N/S +620</td> </tr> </tbody> </table>	West	North	East	South			1♣ ¹	2NT ²	Pass	3NT	Pass	4♥	All pass				1	3+ clubs so not announced or alerted			2	not alerted but announced as strong			Lead: ♦ 9	Result: 4♥= by S	N/S +620	
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Director's ruling

After S had overcalled 2NT, N announced that it was strong but did not otherwise alert. The N/S system card states that 2NT shows the two lowest unbid suits. There was no correction of the misinformation during the Clarification Period and W called me at the end of play thinking that he would not have led the ♦9 at trick 1 with correct information. I asked S why he bid 4♥, and he said it was because he had five hearts and five diamonds, and I suggested that he had already shown this by his 2NT bid, but I had no further reply. It was clear from the discussion that he had been influenced by the UI from the misexplanation.

Score adjusted to 3NT-1 by S, N/S -100.

N/S appealed.

Appeal Committee decision

S cannot make a bid that is suggested by partner not explaining the agreement accurately. Director's ruling upheld. Deposit not kept because N/S obviously have no understanding of the law regarding UI. In any other circumstances this is an obvious deposit-keeper.

The Committee did not think the reason stated justified the return of the deposit.

7.1.2 19.012

<p>♠ AK97 ♥ J972 ♦ 5 ♣ A1082</p> <p>♠ 432 ♠ 5 ♥ KQ83 ♥ 1065 ♦ AQ87 ♦ J10932 ♣ KQ ♣ 9765</p> <p>♠ QJ1086 ♥ A4 ♦ K64 ♣ J43</p>	<p>Board; Dealer; N/S vulnerable.</p> <table border="0"> <thead> <tr> <th style="text-align: left;">West</th> <th style="text-align: left;">North</th> <th style="text-align: left;">East</th> <th style="text-align: left;">South</th> </tr> </thead> <tbody> <tr> <td></td> <td>Pass</td> <td>Pass</td> <td>1NT¹</td> </tr> <tr> <td>Dbl</td> <td>Rdbl^{A2}</td> <td>Pass</td> <td>3♣</td> </tr> <tr> <td>Dbl</td> <td>3♥</td> <td>Pass</td> <td>Pass</td> </tr> <tr> <td>Dbl</td> <td>Pass</td> <td>Pass</td> <td>3♠</td> </tr> <tr> <td>Dbl</td> <td>All pass</td> <td></td> <td></td> </tr> <tr> <td>1</td> <td>12-14</td> <td></td> <td></td> </tr> <tr> <td>2</td> <td>Transfer to clubs</td> <td></td> <td></td> </tr> <tr> <td>Lead: ♥K</td> <td>Result: 3♠*+2 by S</td> <td></td> <td>N/S +1130</td> </tr> </tbody> </table>	West	North	East	South		Pass	Pass	1NT ¹	Dbl	Rdbl ^{A2}	Pass	3♣	Dbl	3♥	Pass	Pass	Dbl	Pass	Pass	3♠	Dbl	All pass			1	12-14			2	Transfer to clubs			Lead: ♥K	Result: 3♠*+2 by S		N/S +1130
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Director's ruling

S stated she meant to bid 2♣, but bid 3♣ in error. I believe that this was a mechanical error but nothing was done to correct it and the auction continued. E/W were given correct explanations of the N/S system.

Table score stands.

E/W appealed.

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Appeal Committee decision

N was in receipt of UI as a result of the mechanical error by S, and therefore should expect 4 or 5 clubs for the transfer break and pass of 3♣ doubled. However under Law 12C1(e) we feel that W was guilty of SEWOG.

W had made a string of penalty doubles, those of 3♣ and 3♠ on totally inadequate trump holdings and defensive values. We considered the play: a spade lead beats 3♣* out of hand, a red suit lead lets it in, and on the ♣K lead, declarer can prevail with good play, hence the weighting.

We note E/W asked an appeal advisor, so no reason to keep deposit (wouldn't have anyway, although hard to assess as the TD didn't rule on the basis of UI).

Score adjusted to:

For N/S, 60% of 3♣*= by S, N/S +670; 40% of 3♣*-1 by S, N/S -100.

For E/W, 3♠*+2 by S, N/S +1130 (table score)

A number of issues arise in connection with this appeal:

- a. A TD called to deal with MI should always consider whether there should be an adjustment because of the UI from the explanations given.
- b. Although the AC correctly identified that there was UI, they did not correctly identify the source of the UI, namely the alert and explanation of the redouble when it appears likely that N intended the redouble to show a strong hand (a question which should have been asked of N).
- c. Whilst it appears eminently correct to disallow the 3♥ bid and return the contract to 3♣*, Law 12C1(e) cannot be engaged in relation to the double of 3♣, because that action took place prior to the infraction (the 3♥ bid). The adjusted score assigned to E/W is therefore illegal. Both sides should have received the weighted score for 3♣*.
- d. The AC should not have been told that the appellants had consulted an appeals advisor.

7.1.3 19.018

♠ AQ97 ♥ 104 ♦ 943 ♣ KJ93 ♠ J1082 ♠ K543 ♥ KQJ6 ♥ 5 ♦ A76 ♦ Q1082 ♣ A7 ♣ Q1082 ♠ 6 ♥ A98732 ♦ KJ2 ♣ 654	Board 31; Dealer S; N/S vulnerable. West North East South Contract 4♠* by W Lead ♥4 Result: 4♠*-2 by W N/S +300
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Director's ruling

I was called by E (dummy) who said that he has asked to see N's last two cards, but N had mixed them without showing them. He (E) thought that N had revoked at some point. I asked E/W to tell me how the play had gone:

T1: ♥4 to the A

T2: ♥ to the K (diamond discard from dummy)

T3: ♠J to Q and K

T4: ♠ to 10 and A

T5: ♦ to Q, K and A

T6: ♥Q (♣ from N, ♦ from dummy)

T7: ♥J (♣ from N, ♦ from dummy)

T8: ♦ ruff

T9: ♣ to A (dropping N's K)

T10: ♦ ruffed by N with the 7

At this point N claimed his high trump and conceded the last trick without showing his cards. E said that he had seen N pull the ♦9 out of his hand earlier in the play and put it back. He knew the card was still in N's hand, as it hadn't been played.

Score adjusted to 4♠*-1, as if N had revoked (Laws 65D, 66D and 72B3).

Note – at the time of the ruling, it was not clear how the play had gone. According to W, N had won no tricks after the revoke trick, so one trick was transferred. Had the play really gone as described above, the penalty should have been two tricks.

It is unacceptable for a player to mix his cards when it is clear that his opponents are asking about a possible revoke. This was a highly experienced player and a substantial procedural penalty should have been imposed. If it were possible that the revoke had been deliberate, that would be an extremely serious matter indeed.

7.1.4 19.019

<p>♠ AK9764 ♥ 84 ♦ KJ ♣ 543</p> <p>♠J2 ♠ 3 ♥QJ3 ♥ K7 ♦Q10976 ♦ A843 ♣K82 ♣AQ1076</p> <p>♠ Q1085 ♥ A109652 ♦ 52 ♣ 9</p>	<p>Board 12; Dealer W; N/S vulnerable.</p> <table border="0"> <thead> <tr> <th style="text-align: left;">West</th> <th style="text-align: left;">North</th> <th style="text-align: left;">East</th> <th style="text-align: left;">South</th> </tr> </thead> <tbody> <tr> <td>Pass</td> <td>1♠</td> <td>2♣</td> <td>3♠¹</td> </tr> <tr> <td>Pass²</td> <td>Pass</td> <td>4♣</td> <td>All pass</td> </tr> </tbody> </table> <p>1 Stop card used</p> <p>2 Questions asked by W as to the 3♠ bid. Explanation given by N was that it was a raise to 2½. 2NT would be the good raise to 3♠.</p> <p>Lead N/R Result: 4♣ = by E N/S -130</p>	West	North	East	South	Pass	1♠	2♣	3♠ ¹	Pass ²	Pass	4♣	All pass
West	North	East	South										
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Director's ruling

I was called to the table by N who was not happy that W had asked questions and E had bid 4♣. I consulted the other directors but then did a poll of players. Of the 6 players I polled (from the middle of the field), 3 stated that they would have passed. The reasons given by 2 of these were that they did not want to push N/S into a vulnerable game. The other 3 players who bid 4♣ gave Pass serious consideration.

I ruled that Pass was a logical alternative and adjusted the score to 3♠+1 by N, N/S +170.

E/W appealed.

Appeal Committee decision

4♣ is not an automatic bid and the final bid was inappropriate given the questioning by W.

Director's ruling upheld. Money refunded because 3 people polled did bid 4♣.

The fact that half the poll sample chose the table action is not a justification for return of the deposit. The poll was conclusive that Pass was a logical alternative, and the deposit should have been forfeited to discourage meritless appeals of clear and obvious rulings.

7.2 BB@B Disciplinary penalty forms for 2019

The Committee considered a number of forms. No further action was warranted, but TDs would be reminded that it was helpful to have details of the opponents of the players penalised.

8. Other Business

8.1 None this time

9 Date of next meeting

ND was asked to remind those who had not yet responded to his email about dates, with a view to agreeing a date as soon as possible.

The meeting closed at 4.00pm.