



# **SUMMER MEETING 2000**

## **APPEALS**

**Edited by David Stevenson**

# **ENGLISH BRIDGE UNION**

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All the appeals from the EBU Summer Meeting at Brighton 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.

Initially 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 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. He can be contacted as follows:

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If you wish to comment on the actual appeals, the layout, the editing or the Commentary please write direct to the Editor as on the next page.

# ENGLISH BRIDGE UNION

## SUMMER MEETING 2000

### APPEALS

#### Commentary

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

**David Stevenson**, the editor, is an International Tournament Director from Merseyside. 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.

**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.

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**”.

If you wish to comment on the actual appeals, the layout, the editing or the Commentary please write direct to the Editor. He can be contacted as follows:

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## ENGLISH BRIDGE UNION

### SUMMER MEETING 2000

#### APPEALS

##### General

There has been an attempt to use very few abbreviations. However, there are some, and they are listed here:

EBU	English Bridge Union
L&EC	Laws & Ethics Committee
Director	Tournament Director
Committee	Appeals Committee
(A)	Alerted
(H)	Hesitation [agreed]
(1), (2) etc	References to notes below
♠♥♦♣	Spades hearts diamonds clubs
NT	No-trumps

From the 1<sup>st</sup> 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.

While one major tournament proves nothing, it was noted how acceptable these type of rulings were to the players. Furthermore, you will see no examples in here of such rulings. About twenty or so such rulings were given at Brighton, but not one was appealed!

We have followed American practice by referring to rulings by Directors and decisions by Appeals Committees.

Unlike most other publications of this sort around the world, we have named the Tournament Director in each case. He 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 has consulted with at least one other Director, and possibly a top player as well. Thus he is not solely responsible for the ruling – on rare occasions he may not agree with it himself.

# ENGLISH BRIDGE UNION

## SUMMER MEETING 2000

### APPEALS

#### Contents

<b>APPEAL No 1: Misbidding the Multi</b>	<b>6</b>
<b>APPEAL No 2: Hesitation Blackwood</b>	<b>9</b>
<b>APPEAL No 3: Call the Director!</b>	<b>11</b>
<b>APPEAL No 4: Confusion over the Multi</b>	<b>14</b>
<b>APPEAL No 5: Alleged Hesitation</b>	<b>16</b>
<b>APPEAL No 6: What does Constructive mean?</b>	<b>18</b>
<b>APPEAL No 7: Inappropriate Comment</b>	<b>21</b>
<b>APPEAL No 8: That Hand again!</b>	<b>23</b>
<b>APPEAL No 9: Claim carefully!</b>	<b>25</b>
<b>APPEAL No 10: What do you do when Partner Hesitates?</b>	<b>28</b>
<b>APPEAL No 11: Play it again, Sam</b>	<b>30</b>
<b>APPEAL No 12: What is that Smell of Fish?</b>	<b>32</b>
<b>APPEAL No 13: How do you Bid a Freak?</b>	<b>34</b>
<b>APPEAL No 14: What on Earth Happened?</b>	<b>36</b>
<b>APPEAL No 15: Whoops!</b>	<b>38</b>
<b>APPEAL No 16: If it Hesitates, Shoot it!</b>	<b>40</b>
<b>APPEAL No 17: The 30% Rule</b>	<b>42</b>

Published	February 2001
Revised	March 2001
Revised	March 2001
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## APPEAL No 1: Misbidding the Multi

**Tournament Director:**

Eitan Levy

**Appeals Committee:**

Chris Jagger (Chairman), Jon Williams, Paul Gagne

Board number 7 Dealer South All Vulnerable	♠ AQJ4 ♥ J ♦ QJ954 ♣ KJ2										
♠ 52 ♥ KQ6532 ♦ A82 ♣ 64	<table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;">N</td><td></td></tr> <tr><td style="text-align: center;">W</td><td></td><td style="text-align: center;">E</td></tr> <tr><td></td><td style="text-align: center;">S</td><td></td></tr> </table>		N		W		E		S		♠ T76 ♥ AT94 ♦ 76 ♣ QT73
	N										
W		E									
	S										
Swiss Pairs	♠ K983 ♥ 87 ♦ KT3 ♣ A985										

West	North	East	South
			Pass
2♦ (1)	Pass	2♥ (2)	All Pass

(1) 23-24 or 27+ balanced or game in hand

(2) Relay

**Result at table:**

2♥ making by East, NS -110

**Director first called:**

After West's pass

**Director's statement of facts:**

North called the TD after West's pass. North drew my attention to the bidding and asked if a psyche of a conventional game forcing bid was illegal. I replied that it was (and West confirmed this). North stated that he was in a position that it was difficult for him to evaluate. I explained to him that he should continue bidding. If West had psyched and/or North was damaged by the psyche or another infraction, an adjustment would be considered.

After Dummy appeared West stated that he had misbid, he forgot that he was not playing Multi 2♦.

**Director's ruling:**

Table result stands

**Details of ruling:**

Misbid not psyche (Orange book 6, 2.7)

Misbid, not misexplanation (Law 75)

No unauthorised information (2♥ would be passed without Alert) (Law 16A)

**Appeal lodged by:**

North-South

**Basis of Appeal:**

(1) Wording of Orange book 6 not clear enough in general

(2) See Orange book 6.1.2 - you may not use a convention to control a psyche - response to 2♦ is a convention

(3) Had the Director provided all the facts re Orange book 6 I would have doubled (ie I needed to know that misbids were theoretically treated differently).

**Director's comments:**

After consultation, it was decided that a record of this hand be given to the Laws & Ethics Committee.

**Comments by North/South:**

I wrote my comments before reading the Director's comments - the Director's account of the facts is not my understanding of the facts - I did not receive anything like the full explanation that the Director implied.

**Appeals Committee decision:**

Director's ruling upheld

Deposit returned

**Appeals Committee's comments:**

Very close to keeping the deposit. The Laws clearly say that a psyche is different to a misbid: the North/South argument seems to depend on the Laws being wrong. We also felt that North had an obvious double, and passing was not a sensible action. North also implied that he was not playing on seriously which he has an obligation to do.

We felt North/South were trying it on and ought to know better. The point by North that the Laws perhaps should be re-thought has some validity.

**David Stevenson's comments:**

There is some confusion here between the Laws (in the Law book) and regulations (in the Orange book). It is an EBU regulation that you may not play a game-forcing or near game-forcing artificial opening and psyche it.

However, as the definitions in the Orange book make clear, a psyche is deliberate. If someone bids the wrong thing accidentally that is a Misbid. This is what happened here. The Committee felt North should have protected himself better by playing on sensibly in case it was not a psyche.

**Herman De Wael's comments:**

There are two things to consider in this case. Did West really forget that he was not playing a multi? I would have made some more effort to establish this. It is far too easy to psyche this and then claim it was a misbid. I find it strange that the Director, who is not a local, did not investigate more thoroughly West's claim. Secondly, what error did North make? He called the Director and received the answer he was looking for. No, it is not permitted to psyche a conventional strong opening bid. Since West did pass, to North the story was over. Then it turns out this was not a psyche after all. Maybe the Director should have explained at the table that there are other explanations for this strange auction than a psyche. North certainly did deserve the protection that he got from the Appeal Committee, when they refunded him his deposit.

**Laws & Ethics Committee comments:**

The L&E considered the case of a player who had opened an ostensibly strong artificial 2♦ when holding a weak 2 in ♥s, having forgotten that he was not playing the Multi in the partnership in question. The L&E decided that the next full revision of the Orange Book should include a review of the present regulation whereby it is not permitted to psyche a game-forcing or near game-forcing artificial opening. Such a review should also consider the question of misbids.



**APPEAL No 2: Hesitation Blackwood**

**Tournament Director:**

Jim Proctor

**Appeals Committee:**

David Burn (Chairman), John Young, Heather Dhondy

Board number 10 Dealer East All Vulnerable	♠ 74 ♥ 3 ♦ KQ9 ♣ AKQ9754	
♠ AQT32 ♥ AKJ94 ♦ 7 ♣ T2	<b>W N E S</b>	♠ KJ986 ♥ T762 ♦ AT42 ♣ ---
Swiss Pairs	♠ 5 ♥ Q85 ♦ J8653 ♣ J863	

West	North	East	South
		Pass	Pass
1♠ (1)	2♣	4♠	Pass
4NT (2)	Pass	5♥ (3)	Pass
5♠ (H)	Pass	6♠	All Pass

(1) 4+ cards

(2) Alerted: RKCB

(3) Alerted: 2 aces out of 5: no ♠Q

**Result at table:**

6♠ making by West, NS -1430

**Director first called:**

At end of hand

**Director's statement of facts:**

The fact of the hesitation had been agreed.

**Director's ruling:**

Score assigned for both sides:

5♠ +1 by West, NS -680

**Details of ruling:**

Pass is a logical alternative (Law 16A)

6♠ is suggested over pass by the hesitation (Law 12C2)

**Appeal lodged by:**

East-West

**Basis of Appeal:**

6♠ is evident

**Appeals Committee decision:**

Director's ruling upheld

Deposit returned

**Appeals Committee's comments:**

East has extra, undisclosed values, it is true. But the partner of a Blackwood bidder is normally expected to accept his partner's decision, and when that decision is after a pause for thought, it is not permitted to continue except when partner "cannot" have a hand on which slam will fail.

**David Stevenson's comments:**

Some people might think the 6♠ bid evident, automatic, and thus permissible. You might like to make up your own mind whether you think so.

But the Chairman's comments are an excellent statement of the general approach in ruling on "Hesitation Blackwood": it is extremely rare that players go on after a signoff - unless the signoff was after a hesitation.

**Herman De Wael's comments:**

Very clear case. I suspect that East has presented a very convincing case for his raise to six in order to get his money back.

**Laws & Ethics Committee comments:**

The L&E noted an appeal where a player whose partner had used Blackwood had continued to slam after his partner's hesitation and signoff. The L&E considered that the Appeals Committee Chairman's comments were worth repeating:-

"E has extra, undisclosed, values. But the partner of a Blackwood bidder is normally expected to accept his partner's decision, and when that decision is after a pause for thought, it is not permitted to continue except when partner "cannot" have a hand on which slam will fail. Director's ruling upheld."

### APPEAL No 3: Call the Director!

**Tournament Director:**

Mike Amos

**Appeals Committee:**

Malcolm Pryor (Chairman), Mike Ash, Trevor Towers

Board number 10 Dealer East All Vulnerable	♠ 74 ♥ 3 ♦ KQ9 ♣ AKQ9754	
♠ AQT32 ♥ AKJ94 ♦ 7 ♣ T2	N W       E S	♠ KJ986 ♥ T762 ♦ AT42 ♣ ---
Swiss Pairs	♠ 5 ♥ Q85 ♦ J8653 ♣ J863	

West	North	East	South
		Pass	Pass
1♠	2♣	Dbl (1)	Pass
2♥	3♣ (2)	4♣	Dbl
6♥	Pass	6♠	All Pass

- (1) Not alerted: Sputnik/Negative
- (2) North asked meaning of double and was told negative

**Result at table:**

6♠ +1 by West, NS -1460, lead ♣A

**Director first called:**

At end of auction

**Director's statement of facts:**

I was called by North at the end of the auction to 'reserve rights'. I ascertained that the double had not been alerted and should have been. Play continued and I was recalled at end. North said if the double had been properly alerted South might have raised ♣s and the auction might have developed differently.

Law 21B3 allows the TD to award an adjusted score in just such a situation ‘when it is too late to change a call’. But in this case the TD should have been called when the infraction had been first revealed. North asked the meaning of the double before bidding 3♣; if the TD had been summoned at this point he could have applied Law 21B1 which would have allowed South to change her call if she wished, solving the problem. An experienced player such as North cannot ignore Law 9B1A and later expect the TD to adjust under Law 21B3.

**Director's ruling:**

Table result stands

**Details of ruling:**

Failure to alert = misinformation (Law 21B2).

Too late to change call (Law 21B3).

When to summon (Law 9B1).

**Appeal lodged by:**

North-South

**Appeals Committee decision:**

Director's ruling upheld.

Deposit forfeited.

**Appeals Committee's comments:**

Committee reached their decision to let the Director’s ruling stand very quickly. No new facts were presented at the appeal.

**Note:**

This was first published in Bulletin number 8 at Brighton.

**David Stevenson’s comments:**

Some surprise was shown amongst knowledgeable people at this ruling. There was surprise that no adjustment was given after the Director was not called. But the Law book is very clear: once attention has been drawn to an irregularity, the Director must be summoned – the word ‘must’ is a quote from the Law book, and is the strongest term. It is surprising that so many people do not realise that this is an absolute requirement: it should be taught in every beginner’s course. It is especially so in misinformation situations. The Director has certain powers when called. He can roll the auction back some way and allow the non-offenders to change a call (as in this case).

He can find out the truth about what a call really means by taking someone away from the table. He can do various things. But he can do none of this if he is not called. There is no reason why situations that could be easily dealt with should lead to adjusted scores at the end because the requirement to call him was not followed. If there is a problem at your table, especially to do with misinformation, then call the Director: you may lose some rights otherwise.

**Herman De Wael's comments:**

One additional point does not get a mention. Perhaps the relative frequency of the use of the negative doubles is not the same in England, but over here this would be the generally accepted meaning, even without an alert. South could have done more to protect herself and should not be rewarded by an extra call after the facts. That, combined with the late calling of the TD, is in my opinion more than enough not to grant any adjustment. Furthermore, when given a good explanation as to the reasons of the non-adjustment, North/South should realize that they are appealing a purely technical ruling and should have expected what they received.

**Laws & Ethics Committee comments:**

Insofar as the appeal dealt solely with the law, it should have been heard by the Director in Charge. Mr Bavin, who had been the Director in Charge, confirmed that as a matter of law the decision was, in his opinion, correct. That could have been appealed to the Appeals Committee who could have sought to change his mind but who could not have directly overruled his decision. Mr Barnfield suggested that the deposit ought to have been refunded, since, in his view:

- (1) this aspect of the law was not hitherto well known, and at least four very experienced referees, including two voting members of the L&E, did not believe the decision was correct as a matter of law (though of course the Appeals Committee might well have upheld the ruling on other grounds);
- (2) it seemed surprising that E/W, who appeared to have breached at least three laws (failure to alert, and (apparently) failure to call the TD for two reasons), and indeed have caused the infraction themselves, received no adjustment to their score or indeed fine for their infractions.

The suggestion found no support from voting members of the L&E present.

As a corollary of the matter being one of law, the final sentence of the TD's decision (relating to N's experience) was irrelevant.

**APPEAL No 4: Confusion over the Multi**

**Tournament Director:**

Ian Muir

**Appeals Committee:**

David Burn (Chairman), David Harris, Andrew Macnair

Board number 8 Dealer West Nil Vulnerable	♠ K9 ♥ Q97432 ♦ Q7 ♣ Q97	
♠ 53 ♥ J ♦ JT862 ♣ KT654	<b>W N S E</b>	♠ AJ842 ♥ AK5 ♦ 95 ♣ J83
Swiss Pairs	♠ QT76 ♥ T86 ♦ AK43 ♣ A2	

<b>West</b>	<b>North</b>	<b>East</b>	<b>South</b>
Pass	2♦ (A) (1)	Dbl	2♥ (A) (2)
Pass	Pass (A)	2♠	Pass
2NT (3)	Pass (4)	Pass	Pass

(1) Multi.

(2) South asked West the meaning of East's double. West replied "13-16 balanced OR 20+".

(3) Not alerted.

(4) North asked West the meaning of East's 2♠. West replied "It is not clear: may be 20+ and natural; should not be 13-16 and five spades; may be spades and hearts and therefore unable to double 2♥ for takeout.

**Result at table:**

2NT making by West, NS -120, lead ♥4

**Director first called:**

After the board was quitted

**Director's statement of facts:**

West intended 2NT to show the minors (clearly) but East-West agreed that this was not part of a discussed agreement.

**Director's ruling:**

Table result stands

**Details of ruling:**

The complex sequence following the Multi 2♦ opening has led to a sequence in which East-West are unsure of their methods. The explanation of 2♠ was as full as North-South could expect, but there was no explanation for 2NT. Even given North's assumption that West held hearts, he selected a heart lead. (Law 75)

**Appeal lodged by:**

North-South

**Basis of Appeal:**

Had North been told that East had 13-16, he would have bid on (3♥).

**Appeals Committee decision:**

Director's ruling upheld

Deposit returned

**Appeals Committee's comments:**

The Committee feels that although East-West did not describe their hands, they did their best to describe their methods, and that is all to which North-South are entitled. North explained that his partner had shown an invitational hand - if that was so, it was open to him to bid 3♥ in any case. North-South have been unlucky, but East-West have not committed an infraction, simply misbid.

**David Stevenson's comments:**

Many people play the Multi because opponents get confused, and that is usually what they want. In this case the confusion rebounded. North-South cannot expect to gain on every hand where the opponents are confused!

**Herman De Wael's comments:**

I see that you guys are just as lenient with refunding as we are. On a purely technical front, there is no reason for this appeal, but psychologically, such appeals must be allowed.

**APPEAL No 5: Alleged Hesitation**

**Tournament Director:**

Marilyn Jones

**Appeals Committee:**

David Burn (Chairman), Nissan Rand, David Harris

Board number 17 Dealer North Nil Vulnerable	♠ K75 ♥ AQ1087 ♦ 5 ♣ QJ82	
♠ A10632 ♥ K ♦ AKQ1074 ♣ K	<b>W N S E</b>	♠ QJ94 ♥ J94 ♦ 9863 ♣ 63
Swiss Pairs	♠ 8 ♥ 6532 ♦ J2 ♣ A109754	

<b>West</b>	<b>North</b>	<b>East</b>	<b>South</b>
	1♥	Pass	2♥
Dbl	3♥	Pass	4♥
4♠	Pass (1)	Pass	5♥
All Pass			

(1) Alleged hesitation

**Result at table:**

5♥ -1 by North, NS -50

**Director's statement of facts:**

East-West thought there was a hesitation. North-South did not think so. North explained that you needed time to think as 4♠ was unexpected.

**Director's ruling:**

Score assigned for both sides:

4♠ making by West, NS -420.

**Details of ruling:**

I ruled there was a hesitation (Law 85A).



**Appeal lodged by:**

North-South

**Appeals Committee decision:**

Director's ruling upheld

Deposit returned

**Appeals Committee's comments:**

The committee accepts the TD's judgement that there was enough of a tempo breach to convey information to South. This suggested that 5♥ would be more successful than the logical alternative of pass. The TD's decision to adjust, using Law 16, is considered correct, and the score reverts to 4♠ making (successful defence not likely enough for offending side).

**Note:**

This was first published in Bulletin number 2 at Brighton.

**David Stevenson's comments:**

The Law talks about a 'unmistakable hesitation' and this appeal seems to revolve around whether there was a real hesitation. Unless there is strong evidence to the contrary, Appeals Committees tend to accept the TD's view over matters of fact since she was there when the happening was still fresh in the players' minds.

**Herman De Wael's comments:**

North also dug his own grave when stating that he needed time to think because 4♠ was unexpected. Of course there was a hesitation. On the other hand, what does the hesitation suggest? While North's three hearts is not fully invitational, South did accept to play Game. Is it possible in this situation to let 4♠ play undoubled? Are there no elements of a forcing pass here? Isn't it possible to assume that North has a problem whatever his hand? Does the hesitation suggest that 5♥ might be made, or that 4♠ might go down, or neither, or both? Shouldn't we allow South to play bridge? And is 5♥ as crazy as that? Well, maybe Pass is a Logical Alternative but I fear it is closer than the Appeal Committee lets us believe.

**Laws & Ethics Committee comments:**

The L&E considered the comment of an experienced overseas chairman of appeals committees, to the effect that a short hesitation immediately following an unexpected bid by an opponent should not necessarily be considered to be a departure from normal tempo or to transmit significant unauthorised information. The L&E thought that there was some merit in the suggestion. The L&E also considered the same chairman's practice of recording on the appeal form comments made by the players at the appeal hearing, and thought that this is often helpful.

**APPEAL No 6: What does Constructive mean?**

**Tournament Director:**

Graham Cornell

**Appeals Committee:**

Heather Dhondy (Chairman), John Young, Brian Callaghan

Board number 5 Dealer North N/S Vulnerable	♠ K ♥ T953 ♦ AKQ72 ♣ A52	
♠ AQ8753 ♥ AJ4 ♦ J5 ♣ Q3	<b>W</b> <b>N</b> <b>S</b> <b>E</b>	♠ 94 ♥ 82 ♦ 8643 ♣ KJ986
Swiss Pairs	♠ JT62 ♥ KQ76 ♦ T9 ♣ T74	

<b>West</b>	<b>North</b>	<b>East</b>	<b>South</b>
	1♦	Pass	1♥ (A) (1)
1♠	Dbl (A) (2)	Pass	2♥
2♠	3♥	Pass (3)	Pass
3♠	All Pass		

- (1) Described as a relay with no five-card major
- (2) Described as takeout with hearts
- (3) After asking questions concerning the auction

**Result at table:**

3♠ -2 by West, NS +100, lead ♦A

**Director first called:**

At end of auction

**Director's statement of facts:**

I was called to rule on whether West's bid of 3♠ should be permitted. However, when discussing the hand with colleagues, we concluded that South's first call of 1♥ is not permissible. South believes that the call is covered by section 14.2.2 of the Orange book, but we disagree on the grounds that the bid is not constructive if it can be made on as few as 6 points.

Were it not for this decision, we would have cancelled West's bid of 3♠ and awarded an assigned adjusted score of NS +140. East-West state that they would have appealed this.

**Director's ruling:**

Artificial score awarded:

N/S Average minus, E/W Average plus

**Details of ruling:**

1♥ call not in accordance with Orange book (Law 40D)

West potentially in receipt of unauthorised information (Law 16A2 >> 12A2)

**Appeal lodged by:**

Director

**Basis of Appeal:**

North-South believe that the 1♥ call should be permitted. If this is permitted, East-West believe that West's 3♠ bid should be permitted.

**Director's comments:**

Relevant section of Orange book

12.3.2 (p33)

13.2.1 (p42)

14.2 (pp 46-48)

**Appeals Committee decision:**

Director's ruling amended.

No deposit taken

Score assigned for both sides:

3♥ making by South, NS +140

**Appeals Committee's comments:**

Our view is that the 1♥ bid is permissible because they were making a constructive call even though it could be on as few as 6 points. The 3♠ bid is disallowed as it could have been suggested by the questions asked by East. We believe that 3♥ is likely to make on competent play therefore the score is adjusted to 3♥ making.

**David Stevenson's comments:**

The relevant section of the Orange book says the following may be played at level 4:

## 14.2 Responses to One of a Suit Opening Bids

## 14.2.2 Relays

Any relay response is permitted. A relay response is:

- A call that is forcing, asks for information about partner's hand, is constructive, but does not show any other feature.

Thus the first question to be answered is what "constructive" means. Was the 1♥ bid legal? If a pair is judged to be playing an illegal convention then an Artificial Adjusted score is given, usually Average Minus to them and Average Plus to their opponents.

Given the questions by East, West is in receipt of unauthorised information. West is then required by Law 73C to do his best to avoid taking any advantage. 3♠ suggests he failed to do so.

**Herman De Wael's comments:**

I do not want to go into vagueries about regulations that I have no experience with, but it seems to me as if the Committee decided that constructive is synonymous with forcing. If that is the case, then why did the writers put the extra wording into the regulation. I would have ruled like the Director, since whatever the definition of constructive, if it is to be more than merely forcing, this hand certainly does not meet such a definition. On the other hand the ruling on the 3♠ bid is sensible and needs no further comment.

**Laws & Ethics Committee comments:**

This use of the 1♥ bid is regarded as constructive and therefore permissible as a relay (at level 4 (OB 14.2.2)). It was noted that this decision arguably took OB 14.2.2 further than had been intended. Mr Stevenson added that he noted decisions of the L&E relevant to the *Orange Book* and that he would raise the issue when the *Orange Book* was next revised.

**APPEAL No 7: Inappropriate Comment**

**Tournament Director:**

Ian Muir

**Appeals Committee:**

Malcolm Pryor (Chairman), Jeff Smith, Chris Jagger

Board number 22 Dealer East E/W Vulnerable	♠ 5 ♥ AT7642 ♦ Q73 ♣ J84	
♠ Q63 ♥ 93 ♦ K864 ♣ K972	<b>W      N             E             S</b>	♠ AKT8742 ♥ Q ♦ --- ♣ AQT65
Swiss Pairs	♠ J9 ♥ KJ85 ♦ AJT952 ♣ 3	

West	North	East	South
		1 ♠	Dbl
2 ♠	4 ♥	4 ♠	5 ♥
Dbl	Pass	5 ♠	Pass
Pass	Dbl (H)	Redbl (1)	6 ♥
Pass (A) (2)	Pass	Dbl	All Pass

(1) Before East’s redouble, South said “I can not bid (after my partner’s hesitation)”. East said “Wait please, I have not called yet.”

(2) Forcing

**Result at table:**

6♥ doubled –2 by North, NS -300

**Director first called:**

At end of hand

**Director's statement of facts:**

East asked me if South’s statement was “a call out of turn”. I replied that it was not.

**Director's ruling:**

Table result stands

0.5 VP Procedural Penalty to North-South

**Details of ruling:**

I ruled that, whilst South's remark is misleading and extremely inappropriate, it was not the direct cause of the damage to East-West.

**Appeal lodged by:**

East-West

**Basis of Appeal:**

South's 6♥ bid is questionable given North's hesitation and South's subsequent remark.

**Director's comments:**

There are no logical alternatives to the 6♥ bid.

**Appeals Committee decision:**

Director's ruling amended.

Deposit returned

Score assigned for both sides:

5♠ redoubled +1 by East, NS –1600

Procedural penalty cancelled.

**Appeals Committee's comments:**

6♥ not felt to be 70% action, therefore score adjusted back. Pass was considered a logical alternative.

**Note:**

Appeal no 8 is on the same hand: there were several other rulings on this hand that were not appealed.

**David Stevenson's comments:**

Despite South's comment, the situation does not change when East redoubles, so it might not be considered misleading. It now becomes a simple unauthorised information case, and the Committee ruled on that basis.

**Herman De Wael's comments:**

By his own admission, South does not believe 5♠ will go down. He is planning on doing the ethical thing and pass. He is then unlucky in saying this before East has actually passed. And now East tries to get a free double shot. I don't particularly like East's action here. I feel that South now does have sufficient authorized information to have doubts about five spades making. I would vote to let the result stand. As for the Procedural Penalty, I do not believe it is warranted. Perhaps this is not true in England, but over here there are not a lot of auctions that proceed correctly (by putting green cards on the table) after this double. An unfortunate remark indeed, but East should have been content with 5♠ doubled.

## APPEAL No 8: That Hand again!

**Tournament Director:**

David Jones

**Appeals Committee:**

Heather Dhondy (Chairman), Brian Callaghan, David Burn

Board number 22 Dealer East E/W Vulnerable	♠ 5 ♥ AT7642 ♦ Q73 ♣ J84	
♠ Q63 ♥ 93 ♦ K864 ♣ K972	<b>N</b>  <b>W</b> <b>E</b>  <b>S</b>	♠ AKT8742 ♥ Q ♦ --- ♣ AQT65
Swiss Pairs	♠ J9 ♥ KJ85 ♦ AJT952 ♣ 3	

West	North	East	South
		2♣ (1)	3♦
Pass	3♥	4♠	5♥
5♠	6♥	6♠	Pass (H)
Pass	7♦	Dbl	All Pass

(1) Benjamin [Ed: shows 8+ playing tricks, suit unspecified]

**Result at table:**

7♦ doubled -3 by South, NS -500, lead ♠Q

**Comments by North-South:**

North said that opponents did not know of his side's two-suiter – he did. He was facing a 'known' black two-suiter and opponents' willingness to play 6♠ indicated it was a likely making contract. He knew 7♦ would be cheap and could even be a save against a game contract.

**Director's ruling:**

Table result stands

**Details of ruling:**

7♦ not suggested by hesitation.

**Appeal lodged by:**

East-West

**Appeals Committee decision:**

Director's ruling amended.

Deposit returned

Score assigned for both sides:

6♠ making by East, NS -1430

**Appeals Committee's comments:**

We feel that the slow pass could have suggested that a save was more likely to be the winning action, for example if South had king of clubs instead of king of hearts the slam (6♠) will almost certainly fail. Therefore the score is adjusted back to 6♠ and we think a heart lead is reasonably clear so 6♠ makes exactly.

**Note:**

Appeal no 7 is on the same hand: there were several other rulings on this hand that were not appealed.

**David Stevenson's comments:**

This might be considered the typical bread-and-butter appeal. It is a matter of bridge judgement whether pass is a logical alternative and the Committee decided that it was.

**Herman De Wael's comments:**

Let's go with the Committee on this one. A purely bridge decision on which I would not dare to contradict such an eminent Committee.



**APPEAL No 9: Claim carefully!**

**Tournament Director:**

David Jones

**Appeals Committee:**

David Harris (Chairman), Derek Oram, Roy Edwards

Board number 8 Dealer West Nil Vulnerable	♠ KQJ864 ♥ Q762 ♦ 5 ♣ K3	
♠ 1053 ♥ 5 ♦ KQJ109 ♣ AJ94	<b>W</b> <b>N</b> <b>S</b> <b>E</b>	♠ 97 ♥ A843 ♦ A743 ♣ 765
Swiss Pairs	♠ A2 ♥ KJ109 ♦ 862 ♣ Q1082	

<b>West</b>	<b>North</b>	<b>East</b>	<b>South</b>
1♦ (A) (1)	1♠	2♣ (A) (2)	Dbl (3)
3♦	3♠	4♦	All Pass

- (1) 3+ cards
- (2) Transfer: shows diamonds
- (3) Explained as 'I believe it is clubs'

**Result at table:**

4♦ making by West, NS -130, if claim considered valid

**Director's statement of facts:**

Play: ♠K overtaken by ♠A, ♠2 to ♠J, ♣K to ♣A, three rounds of diamonds ending in dummy, club, South plays ♣Q. Declarer now put his hand down saying 'Ruffing a spade'. There was a pause and declarer said he would play on. Opponents queried this and declarer stated that after a spade ruff he would finesse the ♣10.

**Director's ruling:**

4♦ -1 by West, NS +50

**Details of ruling:**

Intention to finesse not made in original statement. It would be careless or inferior to play ♣J – not irrational. (Laws 70D, 70E.)

**Appeal lodged by:**

East-West

**Appeals Committee decision:**

Director's ruling upheld. Deposit returned

**Appeals Committee's comments:**

Sadly, the Committee do not feel that there is scope to allow the appeal. West was at fault in failing to state his line for the claim (which was blatantly obvious) and North-South are entitled to exact their rights under the Law.

**Note:**

This was first published in Bulletin number 7 at Brighton.

**David Stevenson's comments:**

When a claim is contested, the Director and Appeals Committee make an effort to decide what would have happened if the hand was played out, but with the benefit of any doubt going against claimer. If there is a losing option they will assume that player would have taken that losing option if it is careless to do so for the class of player involved, or if it is an inferior play: however they will not force that play on claimer if they consider the play irrational.

So, do you consider the play of the ♣J rather than taking the club finesse irrational, or merely careless or inferior? Perhaps the player had forgotten for the moment that the ♣10 was still out. The Appeals Committee has expressed their distaste, but they do not consider the play of the ♣J irrational. Some North-South players would not have contested this claim at all.

West's offer to continue play was rightly ignored. When there is a problem, and it comes to light, then the players must call the Director: this theme is seen in other Appeals, for example Appeal no 3. Players may not play on after a claim.

**Herman De Wael's comments:**

In cases like this, it is important to find out what goes on in the mind of declarer. Did he miss something and make an error, or did he neglect to complete his analysis? I believe that in this case it is the latter. Declarer felt that he had all tricks, and he claimed, perhaps somewhat hastily. I do believe that when this declarer will play the hand, he will realize that he needs his two clubs to be good, and (probably) remembering the club-showing double by South, finesse the ten. I do not believe that this declarer was unaware that the ten was out and thought that his hand was high. After all, he proved this in his subsequent statement/play. This, together with the almost unethical Director call by North/South, would urge me to rule in favour of claimer in this one. But of course the Director and Committee may have come to other conclusions as to West's state of mind.

**Laws & Ethics Committee comments:**

The L&E did not conclude whether they agreed with the statement that the winning line was “blatantly obvious”. However, the L&E views that if the Appeals Committee thought the winning line was “blatantly obvious” then all other lines would presumably be “irrational” within the footnote to Law 70C3. If so the Appeals Committee should have held that, in effect, the finesse should be allowed.

APPEAL No 10: What do you do when Partner Hesitates?

**Tournament Director:**

Malcolm Lunn

**Appeals Committee:**

Nissan Rand (Chairman), Catherine Jagger, Celia Oram

Board number 14 Dealer East Nil Vulnerable	♠ K954 ♥ J754 ♦ 94 ♣ A73	
♠ J872 ♥ K2 ♦ T ♣ 986542	<b>W</b> <b>N</b> <b>S</b> <b>E</b>	♠ Q ♥ T863 ♦ AKQ83 ♣ KJT
Swiss Pairs	♠ AT63 ♥ AQ9 ♦ J7652 ♣ Q	

West	North	East	South
		1♦	Pass (H)
Pass	1♥	Pass	1♠
Pass	Pass	2♦	Pass
Pass	2♠	All Pass	

**Result at table:**

2♠ making by South, NS +110

**Director first called:**

At end of auction

**Director's statement of facts:**

I was called to the table at the end of the auction by East-West who wished to reserve their rights. I was subsequently recalled at the end of play and asked to rule on North's 1♥ bid after his partner's agreed hesitation. As pass is a logical alternative with the North hand as per Law 16A I am adjusting the contract to 1♦ by East making seven tricks.

**Director's ruling:**

Score assigned to both sides:

1♦ making by East, NS -70

**Appeal lodged by:**

North-South

**Comments by North-South:**

North admits that South hesitated but he must reopen in a pairs event, especially since 1♦ is probably a limited bid. He felt that 1♥ was the only choice.

**Comments by East-West:**

East claims that 1♦ is not limited, and that North's argument is not valid.

**Appeals Committee decision:**

Director's ruling upheld.

Deposit returned.

**Appeals Committee's comments:**

Appeals Committee upholds the Director's ruling. North's bidding is based mostly on the hesitation. South's bid should have been 2♥ not 1♠.

**David Stevenson's comments:**

Law 73C reads as follows:

*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.*

Regrettably this Law is not as well known as it might be. Many players believe that when they are in receipt of unauthorised information from partner that it is good enough to bid as they would without the unauthorised information. However, careful study of this Law says that that is not good enough: players are required to go a good deal further to avoid an advantage. It is very easy for a player to delude himself into thinking that the action which he knows will be successful because of the unauthorised information is, in fact, the action he would have taken anyway.

If you consider North's comment you will realise that he has not followed Law 73C. He says "...he must reopen in a pairs event ..." which in effect means that he decided to make the bid he believes he would have made anyway. However, if he stopped to think about it his partner's hesitation has made his reopening safe. To avoid taking advantage he must pass.

**Herman De Wael's comments:**

North's hand is nowhere near an obvious reopening. Another deposit that would have been kept from more knowledgeable appealers. Although more knowledgeable appealers would not have appealed.

**APPEAL No 11: Play it again, Sam**

**Tournament Director:**

John Pain

**Appeals Committee:**

Nissan Rand (Chairman), Catherine Jagger, Celia Oram

Board number 17 Dealer North Nil Vulnerable	♠ Q9 ♥ KQ53 ♦ T5 ♣ AQ842	
♠ KJT532 ♥ 6 ♦ 963 ♣ J95	<b>W N E S</b>	♠ A ♥ JT ♦ KQJ8742 ♣ KT3
Swiss Pairs	♠ 8764 ♥ A98742 ♦ A ♣ 76	

<b>West</b>	<b>North</b>	<b>East</b>	<b>South</b>
	1♣	1♦	1♥
1♠	2♥	3♦	4♥
Pass (H)	Pass	5♦	Dbl
All Pass			

**Result at table:**

5♦ doubled -1 by East, NS +100

**Director first called:**

At end of auction

**Director's statement of facts:**

It was alleged that West had paused for longer than the required time. South had left the Stop card down for ten seconds and West had thought some more after it had been removed. I was recalled at the end of play.

**Director's ruling:**

Score assigned to both sides:

4♥ +1 by South, NS +450

**Details of ruling:**

I ruled that there had been a hesitation from West. Consequently East had unauthorised information. Pass is a logical alternative. Contract put back to 4♥+1. Law 73F1.

**Appeal lodged by:**

East-West

**Basis of Appeal:**

East-West think that 5♦ is a clear-cut action.

**Comments by North-South:**

Hesitation by West was obvious. South would have no problems (according to himself) to make eleven tricks.

**Comments by East-West:**

West admitted that he hesitated, but after bidding 1♠ (instead of supporting diamonds) he had a difficult choice. East was always going to bid 5♦.

**Appeals Committee decision:**

Director's ruling amended.

Deposit returned.

Score assigned to both sides:

4♥ making by South, NS +420

**Appeals Committee's comments:**

The Committee sympathises with East but must uphold the Director's decision following the hesitation by West.

The Committee however decided to allow North-South only ten tricks – in this type of tournament – so score adjusted to 4♥ just made.

**David Stevenson's comments:**

Another unauthorised information decision. In fact the majority of Committee decisions are to do with unauthorised information. West's hesitation suggests he has a useful hand for his partner, and East should not bid 5♦ then if Pass is a reasonable alternative. East-West thought 5♦ routine but neither the Committee nor the Director agreed. What do you think?

Nissan Rand of Israel was at Brighton representing the European Bridge League. Since he has much international experience in appeals he was pressed into service!

**Herman De Wael's comments:**

East has bid his hand not just once but twice. A third time is a stretch of the imagination.

**APPEAL No 12: What is that Smell of Fish?**

**Tournament Director:**

Mike Amos

**Appeals Committee:**

Derek Oram (Chairman), Cameron Small, Roy Edwards

Board number 32 Dealer West E/W Vulnerable	♠ 2 ♥ 7542 ♦ 42 ♣ AKQ874	
♠ AJ975 ♥ AKQT6 ♦ QJ ♣ 9	<b>W N E S</b>	♠ T43 ♥ J3 ♦ K9763 ♣ 653
Swiss Pairs	♠ KQ86 ♥ 98 ♦ AT85 ♣ JT2	

<b>West</b>	<b>North</b>	<b>East</b>	<b>South</b>
1♣ (A) (1)	2♣ (A) (2)	Pass (A)	Pass
Dbl	Pass	2♦	3♣
All Pass			

(1) Strong club

(2) System cards show 2♣ = clubs and diamonds (Truscott)

**Result at table:**

3♣ +1 by North, NS +130

**Director first called:**

At end of hand

**Director's statement of facts:**

I was called by East-West at end of hand. North had misbid. I checked the convention cards and discovered that both cards showed that 2♣ showed the minors. North-South said that their agreement was at least 5-5. I asked South why he passed 2♣ and he said because he was content to be in that contract.

The Director thought that this action was odd. It would be normal to raise diamonds. Similarly bidding 3♣ over 2♦ was strange.



**Director's ruling:**

Artificial score awarded:  
N/S average minus. E/W average plus.

**Details of ruling:**

Red misbid (Orange book 6.2.7)

**Appeal lodged by:**

North-South

**Appeals Committee decision:**

Director's ruling upheld.  
Deposit returned.

**Appeals Committee's comments:**

We agreed unanimously to uphold director's decision. No doubt that the pass of 2♣ was a peculiar action and also that 3♣ continued to field a misbid.

**David Stevenson's comments:**

The auction reeks to high heaven. Of course people forget their system but for South to fail to prefer his four card "fit" twice is very strange. It looks as though South expects his partner not to have diamonds at all. This is known as "fielding" a misbid. The misbid is thus classified as Red. The Artificial Adjusted score given is the one laid down by the EBU for a Red Misbid.

**Herman De Wael's comments:**

The notion of fielding a misbid is totally unknown to me. But I agree that there are plenty of fish around here. I would be looking for other reasons to try and rule against North/South, but it is pleasant to have the option of "Red misbid" available.

One question though - why did East bid diamonds? Perhaps a correct description of North's hand had been given? In that case there might be nothing more wrong than a mistake on the Convention Card, with North and South both under the impression that 2♣ shows clubs. Is that alertable in England ?

**Laws & Ethics Committee comments:**

In the light of the Appeal Committee's comments the decision to return the deposit was perhaps surprising.

## APPEAL No 13: How do you Bid a Freak?

**Tournament Director:**

Mike Amos

**Appeals Committee:**

John Young (Chairman), Graham Jepson, Liz McGowan

Board number 30 Dealer East Nil Vulnerable	♠ Q765432 ♥ 8 ♦ --- ♣ AQJT4										
♠ JT ♥ 7532 ♦ JT65 ♣ K93	<table style="margin: auto; border: none;"> <tr><td></td><td style="text-align: center;">N</td><td></td></tr> <tr><td style="text-align: center;">W</td><td></td><td style="text-align: center;">E</td></tr> <tr><td></td><td style="text-align: center;">S</td><td></td></tr> </table>		N		W		E		S		♠ 9 ♥ KQJ96 ♦ AKQ84 ♣ 62
	N										
W		E									
	S										
Seniors Pairs	♠ AK8 ♥ AT4 ♦ 9732 ♣ 873										

West	North	East	South
		1♥	Pass
2♥	2♠	4♥	Dbl (H)
Pass	4♠	All Pass	

**Result at table:**

4♠ +3 by North, NS +510

**Director first called:**

At end of auction

**Director's statement of facts:**

Director was recalled at end of play. It was agreed that South thought for some time before doubling. North argued that she would always bid 4♠ - she had no defensive tricks and twelve black cards.

**Director's ruling:**

Score assigned to both sides:

4♥ doubled -1 by East, NS +100

**Details of ruling:**

The directors thought that passing partner's penalty double was a logical alternative.

**Appeal lodged by:**

North-South

**Appeals Committee decision:**

Director's ruling amended.

Deposit returned.

Table result restored.

**Appeals Committee's comments:**

We believe unanimously that passing 4♥ doubled is not practical and think no bridge player would take this action. Therefore we amend the result to 4♠ +3.

**David Stevenson's comments:**

Players with 7-5 hands do not readily defend at any level! They like to play the hand. Like the Committee, I believe that no player with the North hand will actually defend 4♥ doubled.

**Herman De Wael's comments:**

Indeed 4♠ is an underbid rather than one suggested by any hesitation.

## APPEAL No 14: What on Earth Happened?

**Tournament Director:**

Ian Spoons

**Appeals Committee:**

John Young (Chairman), Liz McGowan, Jeff Smith

Board number 7 Dealer South All Vulnerable	♠ K875 ♥ T652 ♦ AQ ♣ K52	
♠ Q ♥ KQJ93 ♦ JT98 ♣ AT8	N W                  E S	♠ T9632 ♥ --- ♦ K7543 ♣ 964
Championship Pairs	♠ AJ4 ♥ A874 ♦ 62 ♣ QJ73	

West	North	East	South
			1NT
2♦ (1)	Dbl (2)	Pass	2♥
Pass	4♥	Pass	Pass
Dbl	All Pass		

(1) North-South claim it was not alerted: East-West say it was: transfer to hearts

(2) North-South claim it was alerted: East-West say it was not: Lebensohl

[Ed: A Lebensohl double shows a raise to 2NT]

**Result at table:**

4♥ doubled -5 by South, NS -1400

**Director first called:**

At end of hand

**Director's statement of facts:**

I was unable to establish what had taken place during the auction or what may have happened had alerts taken place or been noticed or been asked about. North did admit that they would expect 2♦ to be conventional.

**Director's ruling:**

Artificial score awarded:

N/S average plus. E/W average minus.

**Director's comments:**

It is the duty of the players to ensure that their opponents see their alert (Orange book 7.3.3).

**Appeal lodged by:**

East-West

**Appeals Committee decision:**

Director's ruling amended.

Deposit returned.

Artificial score awarded:

N/S average. E/W average.

**Appeals Committee's comments:**

I deem that the facts were so in dispute that the board is scrapped and award 50% to both sides.

**David Stevenson's comments:**

It is unusual for a Director to be totally unable to determine the facts, and scrapping the board seems the only option. I wonder why the Director gave one side an advantage – the Committee's decision seems spot on.

**Herman De Wael's comments:**

While it is true that it is up to the alerter to make certain that his alert has been noticed, there is also a duty on opponents to protect themselves. North admits that he expects 2♦ to mean "something", so he might well have looked further. I prefer to believe that there had been an alert, perhaps a quick one, and that North did not bother to enquire. In my opinion, both sides are equally at fault.

I don't believe it is correct to scrap this board, since that is a very favourable ruling for North/South, who now have gained considerably (half a top) from their unsubstantiated claim that there had been no alert.

The statements from both sides are self-serving, but North/South have considerably more to gain from theirs.

Besides that, I don't understand North/South's bidding. North doubles (presumably) for penalties while holding game values, and South takes this out for no apparent good reason. I believe North/South got far more than they deserved after their actions.

**APPEAL No 15: Whoops!**

**Tournament Director:**

Jim Proctor

**Appeals Committee:**

Peter Littlewood (Chairman), Vernon Gaskell, Eddie Lucioni

Board number 29 Dealer North All Vulnerable	♠ K2 ♥ KJ2 ♦ A83 ♣ AKT65	
♠ 84 ♥ AQT983 ♦ KQT42 ♣ ---	<b>W N S E</b>	♠ AQ3 ♥ 64 ♦ 965 ♣ QJ984
Championship Pairs	♠ JT9765 ♥ 75 ♦ J7 ♣ 732	

<b>West</b>	<b>North</b>	<b>East</b>	<b>South</b>
	1♣	Pass	Pass
2NT (1)	Pass	3NT	Pass
4♥	Dbl	All Pass	

(1) 17-19 balanced per system

**Result at table:**

4♥ doubled making by West, NS -790

**Director first called:**

At end of hand

**Director's statement of facts:**

No alerts. West said she had misbid, thinking she showed hearts and diamonds.

**Director's ruling:**

Score assigned to both sides:

3NT -1 by West, NS +100

**Details of ruling:**

East's non-alert is unauthorised information to West. Pass is a logical alternative. (Laws 16A, 12C).

**Appeal lodged by:**

East-West

**Appeals Committee decision:**

Director's ruling amended.

Deposit returned.

Score assigned to both sides:

4♥ making by West, NS -620

**Appeals Committee's comments:**

West bid 4♥ thinking that her bid had shown a two-suiter, therefore there was no unauthorised information at that point. However, we consider that North was damaged and would not have doubled otherwise.

**David Stevenson's comments:**

The Committee might have got this one wrong. The failure to alert 2NT provided West with unauthorised information, and West's bid of 4♥ does not seem to have constituted a serious attempt not to use it as law 73C requires [see Appeal no 10].

Why the Committee removed the double of 4♥ is not clear. What was North damaged by? No doubt the Committee had their reasons but on this occasion the Director's ruling looks spot on.

**Herman De Wael's comments:**

In my opinion, the Appeal Committee has this one right, but for completely wrong reasons. Of course West has unauthorized information, the non-alert, and the Director's ruling is correct up to there. Yet, she has a sixth heart and no cards of any value in the blacks. With 11 black cards opposite, 3NT will still be very difficult. I believe it is unthinkable that West will pass without considering the options, and quite likely that she will conclude that partner may well have interpreted the 2NT call to be more natural. After that, I do agree with the Committee that with correct information (2 suiter to his right, points to his left), North would not have doubled.

**Laws & Ethics Committee comments:**

The Appeals Committee's decision to adjust the score to 4♥ undoubled was surprising for two reasons:-

- (1) It appeared incorrect to suggest there had been no Unauthorised Information, since E's failure to alert 2NT did seem to be Unauthorised Information.
- (2) More or less whatever the likely auction to 4♥ it seemed very likely that N would double it.

**APPEAL No 16: If it Hesitates, Shoot it!**

**Tournament Director:**

Ian Spoons

**Appeals Committee:**

Paul Lamford (Chairman), Anne Rosen, Keith Bennett

Board number 6 Dealer East E/W Vulnerable	♠ KQJ9 ♥ T4 ♦ Q9852 ♣ K8	
♠ A ♥ QJ98763 ♦ A7 ♣ A54	<b>N</b> <b>W</b> <b>E</b> <b>S</b>	♠ 43 ♥ K52 ♦ K6 ♣ QJ9762
Swiss Teams	♠ T87652 ♥ A ♦ JT43 ♣ T3	

West	North	East	South
		Pass	2♠ (A) (1)
Dbl	4♠	Dbl (H)	Pass
4NT (A)	Dbl	5♣	Pass
5♥	All Pass		

(1) Weak

**Result at table:**

5♥ making by West, NS -650, lead ♠K

**Director first called:**

At end of auction

**Director's statement of facts:**

I was called at the end of the auction to agree the break in tempo of East's double, which was agreed, and again at the end of play.

**Director's ruling:**

Score assigned to both sides:

4♠ doubled -1 by South, NS -100



**Details of ruling:**

East is a passed hand. There is no suggestion that East's double is anything but penalty. Pass is a logical alternative which West must take. Law 16A.

**Appeal lodged by:**

East-West

**Appeals Committee decision:**

Director's ruling amended.

Deposit returned.

Table result restored.

**Appeals Committee's comments:**

The West hand, in particular, the unannounced seven card heart suit and the possession of the ace of spades greatly increase the probability of success of a five level contract and diminish the probability of East's double being based on trumps. The Committee felt unanimously that a further bid by West was normal.

**David Stevenson's comments:**

Despite a hesitation that suggests a certain action might be successful, if that action is evident then it is legal anyway.

The title is a well-known American saying, referring to the feeling at one time that if any successful action was taken after a hesitation it would always be ruled against – an unfortunate and incorrect approach.

**Herman De Wael's comments:**

Perfect title. Provided it is well explained that this principle is not correct, as this example clearly shows. West should of course have shown his hearts sooner, thereby making it possible for him to ask for the King of hearts. In that case the result would have been 6♥-1.

## APPEAL No 17: The 30% Rule

**Tournament Director:**

Stephen Brown

**Appeals Committee:**

Marc Smith (Chairman), John Holland, Paul Spencer

Board number 16 Dealer West E/W Vulnerable	♠ AKQ73 ♥ --- ♦ K872 ♣ AT65										
♠ 62 ♥ AT8753 ♦ Q3 ♣ KJ4	<table style="margin: auto; border: none;"> <tr><td></td><td>N</td><td></td></tr> <tr><td>W</td><td></td><td>E</td></tr> <tr><td></td><td>S</td><td></td></tr> </table>		N		W		E		S		♠ J95 ♥ QJ96 ♦ 654 ♣ Q72
	N										
W		E									
	S										
Swiss Teams	♠ T84 ♥ K42 ♦ AJT9 ♣ 983										

West	North	East	South
Pass	1♠	Pass	1NT
2♥	Pass (H)	Pass	2♠
Pass	3♦ (1)	Pass	4♠
All Pass			

(1) Game try

**Result at table:**

4♠ making by North, NS +420, lead ♥Q

**Director first called:**

At end of hand

**Director's statement of facts:**

Agreed hesitation by North after 2♥.

**Director's ruling:**

Table result stands

**Details of ruling:**

Director felt 2♠ bid was clear cut. North-South not vulnerable, East-West vulnerable and 1NT maximum with three spades.

**Appeal lodged by:**

East-West

**Basis of Appeal:**

There is a logical alternative to 2♠, namely Pass.

**Comments by North-South:**

A 1NT response is 6-9 points. With a maximum and three cards in partner's suit it is I think an automatic 2♠ bid. If partner has not got five spades he will almost certainly have hearts therefore the heart king need not be devalued.

**Comments by East-West:**

We feel the Director's comments about vulnerability are not relevant. We feel pass is a logical alternative, allowing for North to be 15-16 balanced, only four spades, when defending would be superior against vulnerable opponents.

We feel the hesitation could suggest either an extra spade or extra values, or both, which improves the choice of bidding rather than defending.

**Appeals Committee decision:**

Director's ruling upheld.

Deposit returned.

**Appeals Committee's comments:**

Whilst pass is possible, we did not consider it a 30% action. So we allowed the 2♠ bid.

**David Stevenson's comments:**

We finish with yet another hand where the main decision for the Committee is whether a call constitutes a logical alternative. Since the hesitation suggests bidding over 2♥ then 2♠ should be allowed only if it is evident, or if Pass is not considered a logical alternative. A guide that has been used in England for many years is that a logical alternative is one that three out of ten players of similar ability would find playing similar methods and style. Thus the Committee considered whether Pass was a 30% action: if they had believed it to be so then they would have adjusted the score.

The guidance in other jurisdictions for a logical alternative differs. It is an action that one in four might find in much of the rest of the world outside North America. North America and a few other countries use a much harsher yardstick.

Some people refer to a 70% rule. This is a different way of looking at the problem with the same effect. Here, the Committee might have said that they allowed 2♠ because it was evident, ie that more than seven out of ten players would find it.

**Herman De Wael's comments:**

This case seems to hinge on the number of players that would have called again when 2♥ is passed out to them. I am presuming North's 1♠ shows only 4, but when playing Acol I always treat partner's spade openings as 5-cards after an intervention. Especially after already having denied 4 card support, a bid of 2♠ might be construed as simply following The Law. I would also have bid on, but one other player I consulted would have passed, citing that in teams, he does not need to turn +100 into +110.

Also, maybe the Director was punishing North for his bad choice of action, namely thinking and passing. You simply cannot expect partner to always have the cards that allow him to reopen the bidding. If North has no way of showing this monster, he should not invent the "Conventional Hesitation" on the spot.

So even if that one player I consulted were the only one who would pass, I think I could side with the Director.

Perhaps a severe warning to North/South might be in order.