



MINUTES OF THE MEETING OF THE EBU LAWS & ETHICS COMMITTEE HELD AT YOUNG CHELSEA BRIDGE CLUB, GOLDHAWK ROAD ON WEDNESDAY MAY 31ST 2017

Present:

Tim Rees (TR)	Chairman and Elected Member
Heather Dhondy (HD)	Co-opted Member
Robin Barker (RB)	Elected Member
David Burn (DB)	Elected Member
Jeremy Dhondy (JD)	EBU Chairman
Richard Fleet (RF)	Elected Member
Frances Hinden (FH)	Vice Chairman and Elected Member
Gordon Rainsford (GR)	Chief Tournament Director
Bev Purvis (BP)	EBU Club Liaison officer (acting as secretary in Ian Mitchell's absence)

1 Apologies for Absence

Barry Capal (BC)	EBU General Manager
Ian Payn (IP)	EBU Vice Chairman
Martin Pool	Elected Member

The Committee noted that Mike Amos had retired from the Law & Ethics Committee and the Committee wished to thank him for his hard work and commitment during his tenure.

It was noted that Heather Dhondy (HD) had been co-opted on to the committee until the AGM.

The appointment of GR as EBU General Manager as from 10th July and the appointment of RB as Deputy Chief TD (DCTD) was discussed in the context of the membership of the L & E committee. It was agreed that RB would become a voting Member by virtue of his DCTD position (not an elected Member) and GR would attend as the EBU General Manager. CTD is a voting position but there may need to be a clarification/change to ensure DCTD can also be in the CTD's place.

2. Minutes of the previous meeting (1st February 2017)

2.1 Accuracy

RF felt 8.1 required clarification and suggested that the full name of Mr Graham be given – Mr David M. Graham – which was agreed.

JD noted that the last paragraph of 4.1 also needed clarification. It was agreed that it should refer to the "prosecution of cases" rather than just "cases" as the administration and other elements of case management (eg statistical analysis) would still be handled by L & E.

2.2 The minutes of the meeting of 1st February (as amended - see 2.1 above) were approved and signed by TR.

2.3 Matters arising

- 2.3.1 FH felt that the terms of reference of the L & E committee now needed clarification. JD noted that there were no terms of reference for Prosecution Panel and it was agreed that JD would look the terms of reference for both the L & E and the prosecution Panel and discuss it with the EBU Board.
- 2.3.2 RF asked whether the 2015 booklet (item 5.2 of 5th October minutes) had been circulated as he had not seen a copy. IM to circulate.
- 2.3.3 FH asked to address item 2.3.4 from 5th October (permitted agreement in Blue book for 1 minor openings) later in meeting under Technical Matters.
- 2.3.4 JD wished to discuss how L & E handled the incident involving him and GR and referred to publicly in 4.6 of the Minutes of the last L & E minutes. JD thought it wrong that cases concerning members were given a code name to keep the identity of the member confidential whereas he had been named in the Minutes. It was generally agreed that where an allegation was against EBU officials, it was better for the committee to be seen to be dealing with the allegation in an open way. JD also asked if the apology had been received. TR explained that he had received a letter withdrawing the allegation but that no apology had been sent to him. GR said that he had received a verbal apology from one County representative who had said that that the matter was “sub judice”. He said an apology would be given “when it was all over”. TR said that writing to TR and IM about the allegation was no offence but that putting it into the public domain was. TR had no evidence as to who was responsible for spreading the rumour around. It was agreed that these minutes should make it clear that the original allegations against the EBU Chairman and chief TD had been investigated by the L & E committee and found to be baseless and so were dismissed out of hand and that the county representatives involved had failed to produce the requested written apology. IM to request that a written apology be given.
- 2.3.5 HD noted that there were some papers for the committee that were not attributed. IM to ensure that in future all papers have name of contributor at the top.

3 Appeals to the National Authority

None this time

4 Disciplinary Cases

4.1 Ultravox - Conclusion

Decision of Disciplinary Panel discussed. Time for Appeal now expired. Panel found against Tony McNiff on Charge 1 and finding publicised in English Bridge. Finding on Charge 2 in favour of Tony McNiff also publicised in English Bridge stating “The DP found the charge not proved beyond reasonable doubt”. TM has objected to wording of DP findings in respect of Charge 1 (as DP only looked at 2 of 14 altered scores and TM himself was TD on these occasions but not others) and also objected to findings of Charge 2 being published. RF concerned that DP findings on Charge 2 was published as this is not provided for in Section D3a (of the Disciplinary Rules?) and DB said he thought it was a mistake to publish. It was agreed that as there was no precedent as to what to publish when only 1 of 2 or more charges were proven, the DP guidelines needed to be clarified. The DP’s decision to give a formal reprimand was discussed and it was agreed that IM is to give a formal letter of reprimand to TM in respect of Charge 1 and in similar circumstances. IM to ask MC to put a formal reprimand flag on relevant member records in Workbooks (D3d).

4.2 Recommendations by DC Chairman on Ultravox case

The three members of the DP who heard Ultravox drafted Recommendations and Observations attached at D2. These were briefly discussed. IM to send on DP’s comments to Board and all DP members to be reviewed “under advisement”. RB said due to their relevant expertise, it was appropriate for L & E to get involved in the early investigative work and to pass this on to the DP. FH said terms of reference should deal with this.

Note to IM – Ensure email addresses of DP members are not inadvertently revealed to subjects of hearings.

4.3 Review of sanctions advice

Papers D3a to D3d were referred to. It was agreed that these should be considered by the EBU board.

4.4 Borovik – Progress

GR gave the update referring to D4. An officer of the same club and a previous recipient of an EBU award introduced hands used for teaching a year previously into regular club duplicate sessions in order “to get data for teaching purposes”. This affected 22 sets of results and could impact the reliability of statistics produced by Paul Barden for the Borovik case. GR to ask to what extent this damages Borovik case.

Club and officer in question were discussed and it was agreed that officer should be investigated (name assigned – Cantor) and club should be told (by whom?) that it is their responsibility to have appropriate procedures in place to prevent this from happening again.

4.5 Hoveton – not concluded

Member to be written to and advised to apologise to club who would then consider re-admitting member.

4.6 EBU members convicted of offences outside of Bridge

Unrelated and very different cases relating to members on the sex offenders register referred to in D6a and D6b were briefly discussed as was the member convicted of a hate crime. It was agreed that the committee needed legal advice on whether the EBU could/should do anything to end their EBU membership. JD to refer the matter to Anthony Golding.

4.7 Refusal to play a match (see also 7.2)

GR said that the 2VP Disciplinary Penalty was a severe punishment, and the other team had no grounds for refusing to play. JD expressed his extreme displeasure for the behaviour of the team who refused to play (who had represented England) and that the TD was wrong in this instance. GR said that TD should have said that they would be awarded no VPs if they refused to play. JD said it was not too late to change the score but it was agreed that score should stand in the circumstances. GR to draft appropriate letters to the director in charge, and TR to the team that refused to play, saying it was not acceptable to behave in this manner.

5. TECHNICAL MATTERS

5.0 GR gave a brief summary of the main law changes to be introduced from 1st August 2017 including Law 50, 86 (to be discussed in 5.14 later), the concept of a comparable call and the claim laws. TD training notes had already been circulated. RF asked what the EBU had done to inform the membership about the changes. GR noted the information in both the June and August issues of English Bridge, the website, GR’s video and that training courses were being made available.

Possible Changes to Blue Book/Changes to Blue Book

5.1 ER 25

FH recommended having an objective rule and referred to E1 proposing 3 options regarding the extended rule of 25 5C3. The three proposed options were discussed together with option 4 (do nothing) proposed by JD. By a vote, it was agreed to proceed with option 2 to allow all the current weak options plus any 16+HCP hand type plus 12+HCP with 5 controls. It was agreed to keep the proper disclosure part and the same strong 2 club openers. FH agreed to rewrite the Blue Book accordingly and to write a notification to be included in English Bridge.

5.2 Non-offenders' agreements after withdrawn action by offending side

This was discussed and it was agreed that agreements were allowed in these circumstances but they must be legal. RB to clarify this in the White Book.

5.3 Non-forcing response to pre-empt, to be alerted.

It was agreed that any non-forcing response below game to a pre-emptive opening should be alerted.

5.4 Correspondence from Mike Bell

It was agreed that changes should be made to Announcing but that consideration of this issue should be left until a later meeting and changes made in August 2018 rather than add to this year's changes.

5.5 More on alerting & announcing short minor openings

Short minor openings were discussed at length and it was agreed that the announcement should clarify whether such a call might contain an outside five-card suit in a balanced hand. The possibility of alerting this was explored but an extended announcement was preferred. FH agreed to clarify the announcement rule to 'could be 2, could have an outside 5 card suit'.

5.6 Correspondence from Lorne Anderson

Consideration of this also to be postponed. IM to send out email to say that it was agreed to postpone all consideration of changes to announcements to a later meeting.

5.7 Correspondence from Gavin Wilson

IM to write to Gavin Wilson to say that this was considered but no change was deemed necessary.

5.8 Correspondence from Mike Rothwell

IM to write to Mike Rothwell to say that this was considered but no change was deemed necessary.

5.9 Robin Barker: 5A2

As this is now incorporated in Law 40A4, the proposed blue Book amendment can be taken out. FH to action.

Changes to White Book

5.11 Robin Barker's proposed amendments

These were briefly discussed. FH referred to 3.8 - the carry-forward score formula - RB agreed to remove "EBU rarely does it". Rewrite of Law 50 discussed. RB to change guidance in 8.12.5 as "Serious Error" clarified. Law 1 permits the RA to require the face of each card to be symmetrical. GR to add this requirement for private matches.

Law 86D (new Laws 86B/87D discussed – see also 5.14 below. The change is one that will reduce the incidence of artificial scores. GR suggests that instances of adjusted scores in teams should only be considered "multiple" where there is a connection between them, and this should be our regulation. RB to amend.

5.12 Correspondence from David Muller about a ruling given by GR at the Easter Congress

David Muller's team were unhappy that their opponents were given a more favourable result under L86D when a board was unable to be played due to extreme slow play. GR pointed out that the Muller team had actually be dealt with generously since they could have been given the complement of their opponents' score and under the new laws they would have been required to have been so treated.

5.13 Suggestion regarding Law 9B1

RF discussed the need to change “should” to “must” regarding calling TD when attention is drawn to an irregularity.

5.14 Regulations relating to Law 86D (new Laws 86B / 87C)

See 5.11 above.

6. APPLICATION FOR NEW PERMITTED METHODS

None, other than as discussed in section 5

7. REPORTS FROM TOURNAMENT DIRECTORS

7.1 TD forms and comments 17.001 to 17.014 G1

7.2 BB@B forms – 17.501D G2

In view of time it was agreed to leave this item until the next meeting.

8. DATE AND VENUE OF NEXT MEETING

IM to circulate a list of possible dates for next meeting before AGM date.

[a date has since been agreed: Wednesday 11th October 2017 at 1:15 at the Young Chelsea Bridge Club, Goldhawk Road]

The meeting closed at 5.15pm.