



**MINUTES OF THE MEETING OF THE EBU LAWS & ETHICS COMMITTEE
HELD AT YOUNG CHELSEA BRIDGE CLUB, GOLDHAWK ROAD
ON WEDNESDAY JANUARY 17TH 2018**

Present:	Heather Dhondy (HD)	Chairman and Elected Member
	Robin Barker (RB)	deputy Chief Tournament Director
	David Burn (DB)	Elected member
	Jeremy Dhondy (JD)	EBU Chairman
	Richard Fleet (RF)	Elected member
	Frances Hinden (FH)	Vice Chairman and Elected Member
	Martin Pool (MP)	Elected Member
	Gordon Rainsford (GR)	EBU General Manager
	Tim Rees (TR)	Elected Member
	Alan Wilson (AW)	Elected Member
	Ian Mitchell (IM)	Secretary

1 Administrative matters

1.1 Election of Chairman

The Secretary opened the meeting and called for nominations for the post of Chairman for 2017-2018.

TR announced that he was happy to continue. FH proposed him, seconded by RF.

DB proposed HD for chairman, seconded by MP.

Both candidates were invited to present their cases, after which they withdrew. Further discussions took place, and RF suggested that there be a secret ballot, to which the committee agreed. By a margin of 4 votes to 3, HD was elected chairman.

1.2 HD took the chair, and thanked TR for his services over the previous four years. JD then proposed FH for Vice-Chairman, seconded by DB. There being no other nominations, FH was declared elected.

1.3 HD welcomed Alan Wilson as a newly elected member, and RB in his role as deputy CTD (having previously been an elected member).

1.4 Apologies had been received from IP (EBU Vice Chairman)

2 Minutes of the previous meeting

2.1 Accuracy

Item 7: 17.008

AW suggested that 'potentially' should be added to the phrase "and the minority of points".

Item 7: 17.032

"Appeal Form" should read simply "Form", since this was not an appeal, but a report of hand.

Subject to these amendments, the minutes were approved and signed.

2.2 Matters Arising.

2.3.1 JD confirmed that the board had approved the minor amendments.

4.3 JD reported that the board had dealt with the 'hate crimes' issue, and the bye-laws have been amended. The 'sex crimes' issue had yet to be addressed.

4.8 Whilst it was agreed that the model constitution should be amended, there was no suggestion as to what changes, or who should draft such changes. DB was volunteered

Action: DB

5.1 FH had prepared a FAQ document, which had been shared on a forum for EBU TDs. She wondered whether this should be shared publicly. This was agreed, and GR would ensure that this would happen.

Action: GR

5.2 HD observed that draft changes were still outstanding. These would be discussed at the next meeting in time to take effect in August.

17.015 Although the minutes suggest that FH should contact the TDs concerned, GR confirmed that he had done so.

HD observed that in previous minutes 'action boxes' appeared, highlighting which committee member needed to take action on each issue. The secretary agreed to reintroduce this.

Action: IM

3 Appeals to the National Authority

None this time

4 Disciplinary Cases

4.1 Review of advice to disciplinary committees and procedures to be adopted.

MP pointed out that the review was very much still in the 'draft stage'.

RF questioned whether the requirement for 'technical witnesses' to meet in advance was enforceable (paragraph 4). AW reported that in his experience of similar types of hearings (based on the 'Laws of the Land') such meetings almost always took place, but not necessarily face-to-face – there was, in practice, a 'meeting of minds'. It was suggested that the word 'meet' be removed.

JD reported that a member of the Disciplinary Panel had expressed reservations about monetary fines. A previous legal advisor had confirmed that the EBU had the legal right to issue such fines, but there remained the issue as to whether they carried much effect in the absence of any means-testing. JD agreed to ask the board whether they thought fines to be appropriate.

Action: JD

It was also observed that the 'factual' table of previous sanctions appeared to be wildly inconsistent.

- 4.2 The committee welcomed the conclusion of the "Borovik" case, which resulted in a conviction.
- 4.4 IM reported that he had expected to receive further correspondence regarding an ongoing dispute between a club and a member, but this had not been forthcoming in time for the meeting.
- 4.5 A situation had been reported whereby a member had been excluded from the club by the club's committee, without apparent due process. The member claimed that the club were acting unconstitutionally, but later conceded that the club did in fact have no constitution.

RF deplored the situation whereby a member of the union should have no recourse simply on the grounds that the club had no constitution.

JD reported that whereas affiliated clubs were 'strongly encouraged' to have a constitution, it was not a requirement of affiliation. AW wondered how the club would deal with future cases, should they arise.

HD agreed to write to the club concerned.

Action: HD

- 4.6 A letter had been circulated regarding a disciplinary matter at another club. The signature on the letter was illegible, and there was not sufficient evidence from the letter to identify the correspondent. The committee confirmed that they cannot act on an anonymous letter, and furthermore it appeared that the club had acted according to correct procedures, and therefore there was no reason for the committee to interfere.

5 Technical Matters

5.1 Law 12C1E

Following a case that had been widely reported on a number of social media platforms, and also in light of two hands that were discussed at the previous meeting, and two further hands (not circulated) from the recent Camrose weekend, FH invited a debate about interpretations of:

- (a) "Extremely Serious Error"
- (b) "unrelated to the infraction", and
- (c) "gambling action".

The committee noted that the wording in the new laws had changed from "Serious Error" to "Extremely Serious Error", and that the EBU had previously taken the view that it should be very rare for an error to be considered sufficiently serious, citing 'revokes' and 'failing to take the setting trick in a slam' as examples. Based on the recent cases, FH wondered whether this should be extended to include 'forgetting (or failing to notice) that partner was a passed hand' and 'not knowing your own partnership system'.

GR observed that in most cases cited, it was a moot point as to whether the error was considered to be sufficiently serious, since in those cases the actions should almost certainly be deemed not to be "unrelated to the infraction".

It was also observed that "Gambling Action" did not have to be unrelated to the infraction in order for 12C1E to be applied, but nevertheless, to be judged as such, the perpetrator would have to know that there had been an infraction through which they might otherwise expect redress.

FH agreed to write a paper on "Extremely Serious Error", to be extended to include "Unrelated to the Infraction" and "Gambling Action".

Action: FH

5.2 Alerting of negative doubles

[BB 4B2 includes the phrase “doubles are also alertable if they convey a potentially unexpected meaning in addition to take-out or penalties”].

RF introduced a discussion, reporting that he had had a disagreement with GR in online discussions on whether take-out doubles should be alerted in situations such as the following:

- (a) 1any – (1any) – X, where double shows two places to play
- (b) 1minor – X, where double shows either two 4-card majors or no 4-card majors
- (c) 1minor – (1♥) – X, where double can be a strong hand with a long unbid suit, with no implication as to whether the doubler holds four spades.
- (d) 1minor – (1♠) – X, where double shows either four hearts or a hand strong enough to be able to control the auction.

GR began his argument with the fourth example, believing it to be the most clear-cut case. However, subsequent discussion revealed that it might not be as clear-cut as he thought. There were different views within the committee about what is ‘unexpected’ in such circumstances.

DB agreed to come up with suggestions as to alternative wording to clarify.

Action: DB

5.3 Deferred items from previous meetings.

The committee considered correspondence from two members regarding suggested changes to announcing regulations. It was noted that no decisions needed to be made until the next meeting, since changes to the Blue Book are normally implemented in August of each year.

The following potential changes were discussed:

- (a) ...that the announcement that a 1NT opening “could contain a singleton” should be used only when the singleton could be a Jack or below. Hands that might contain a singleton Ace, King or Queen, but not a lower card, should be announced only with the point range.
The committee felt that no change was necessary.
- (b) ...that announcing Stayman over a 2NT opening was wrong, since this potentially transmits information to partner as to whether this will be interpreted as ‘puppet’ or otherwise.
The committee felt that no change was necessary.
- (c) ...that natural responses to 1NT openings should be announced (e.g. as “Natural, weak”), to avoid unnecessary questions of clarification when there is a lack of announcement.
The majority view of the committee was that this was a helpful suggestion.
- (d) ...that ‘short minor’ announcements should be extended to those that show 3+ cards.
The committee felt that no change was necessary.
- (e) ...that transfer announcements to 1C should be announced, not alerted.
The majority of the committee approved. The committee also considered whether this should be extended to other transfer bids, such as “4-suit transfer” responses to 1NT. GR suggested even that this could be applied to any transfer bid in an uncontested auction.
- (f) ...that natural two-over-one game-forcing bids should be announced as GF.
The majority of the committee approved.
- (g) ...that 1-level opening bids that are natural and forcing should be announced.
The majority of the committee approved.

The majority view of the committee was that frequent changes to the Blue Book were undesirable, and that changes should be made only if there was a sufficiently large number, or a major change was required. HD agreed to summarise for discussion at the next meeting, with a view that the committee firstly decides on which changes should be made (if any changes are to be made), and then vote on whether all or none should be implemented.

Action: HD

6 Applications for new permitted methods

None this time

7 Report from Tournament Directors 17.042

<p> ♠ K109653 ♥ 1086 ♦ 10986 ♣ </p> <p> ♠ AQJ2 ♠ 7 ♥ ♥ AQ972 ♦ AJ752 ♦ 4 ♣ KJ105 ♣ AQ8762 </p> <p> ♠ 84 ♥ KJ543 ♦ KQ3 ♣ 943 </p>	<p>Board 15 : Dealer South: N/S vuln.</p> <table> <tr> <th>West</th> <th>North</th> <th>East</th> <th>South</th> </tr> <tr> <td></td> <td></td> <td></td> <td>Pass</td> </tr> <tr> <td>1♦</td> <td>2♠</td> <td>2NT*</td> <td>Pass</td> </tr> <tr> <td>3♠</td> <td>Pass</td> <td>5NT</td> <td>Pass</td> </tr> <tr> <td>6♣</td> <td>Pass</td> <td>Pass</td> <td>Pass</td> </tr> </table> <p>*2NT = invitational with clubs.</p> <p>Table Result: 6C -1 by West Lead: ♥6</p>	West	North	East	South				Pass	1♦	2♠	2NT*	Pass	3♠	Pass	5NT	Pass	6♣	Pass	Pass	Pass
West	North	East	South																		
			Pass																		
1♦	2♠	2NT*	Pass																		
3♠	Pass	5NT	Pass																		
6♣	Pass	Pass	Pass																		
<p>The TD was approached some time after the conclusion of the hand.</p> <p>At trick 3 (on the second round of diamonds, ruffed in dummy), South played DK, & declarer commented "That's fun".</p> <p>After trick 7, declarer went into extended thought, and after a while North commented "It doesn't matter", upon which South immediately said "Yes, it does matter". (The latter was disputed, but the TD deemed this point to be irrelevant).</p> <p>Declarer's thought processes appeared to be disturbed by North's remarks, and chose a vastly inferior line, to go down in a contract that could easily have been made.</p>																					
<p>Directors Ruling: Law 73E2. Score adjusted to 6C making.</p> <p>A/C Decision: Director's Ruling Upheld.</p>																					

Questions were raised (on the appeal form) as to whether North's comments constituted a claim. The committee's view was that the comment was a suggestion that play be sped up, not curtailed. Otherwise, a claim relates to specific tricks, or to a specific number of tricks. The committee noted that any extraneous remarks (not intended as a claim) should be strongly discouraged.

The case bears similarities to other cases recently discussed, in that declarer's chosen line was extremely poor; but if it is likely that declarer would have chosen a winning line had he/she not been misled, then it was correct to adjust. The committee also noted that declarer was a much less experienced player than the other three at the table.

TR suggested that on the 'claim form' attached to the appeal form, it would have been helpful to have had the original hands recorded as well as the position at the time of the 'claim'. [NB, this was not a 'claim' case, but the form was attached to record the position at the time of the relevant extraneous comments.]

7.2 Disciplinary Forms

Copies of the “Best behaviour at Bridge” forms from 2017 had been circulated.

Included (perhaps erroneously) was a form recording a “procedural penalty” for blatant use of Unauthorised Information. RF observed that it would be helpful to see the hand involved. RB suggested that where such penalties are awarded, a “Report of Hand” form should be submitted to the L&E.

JD suggested that penalties awarded were inconsistent; MP suggested that the penalties should be increased. 20% of a top seemed inconsequential. HD pointed to the table in the White Book, and wondered whether this needed re-addressing. GR? pointed out that the ACBL standard fine was “a quarter of a top”; the EBL’s was “half a top”.

The committee asked FH to look into this.

Action: FH

8 Any Other Business

In light of a recent court case, in which the Court of Arbitration for Sport had overturned the conviction of two leading internationals after cheating allegations, AW wondered what the EBU’s stance would be if the pair in question wished, for example, to enter the Spring Foursomes.

JD observed that while they remained banned by their own NBO, then the EBU were obliged to refuse their entry. FH noted that the pair had switched nationality, and the NBO that had banned them was not technically their ‘home’ federation.

9 Date of next meeting

HD suggested the use of an online polling facility to coordinate availability for future meetings.

Action: IM

[The date for the next meeting has now been fixed for Wednesday 23rd May 2018 at 1.15pm.

Venue is Young Chelsea Bridge Club, Goldhawk Rd, Shepherds Bush.]

The meeting closed at 4.30 pm.