



**MINUTES OF THE MEETING OF THE EBU LAWS & ETHICS COMMITTEE
HELD AT YOUNG CHELSEA BRIDGE CLUB, GOLDHAWK ROAD
ON WEDNESDAY FEBRUARY 20TH 2019**

Present:	Heather Dhondy (HD)	Chairman and Elected Member
	Robin Barker (RB)	Deputy Chief Tournament Director
	Sarah Bell (SB)	Elected member
	Jeremy Dhondy (JD)	EBU Chairman
	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
Apologies:	David Burn (DB)	Elected member
	Ian Payn (IP)	EBU Vice Chairman

1 Administrative Matters

1.1 Election of Officers

The Secretary opened the meeting and invited nominations for the post of Chairman for 2018-2019. MP proposed HD, seconded by FH. There being no other nominations, HD was elected. TR proposed FH as Vice Chairman, seconded by HD. There being no other nominations, FH was elected.

1.2 HD took the chair, welcomed Sarah Bell to her first committee meeting, and passed on apologies from DB and IP

2 Minutes of the Previous Meeting.

2.1 Accuracy

The minutes of the previous meeting (24th October 2018) were approved and signed.

2.2 Matters arising

2.3.1 MP reported that he had discussed with the chairman and secretary about the need for an additional paragraph explaining the inconsistencies. He had observed that reasons for apparent inconsistencies were explained previously in the document, and they agreed that there was therefore no reason for a further explanatory paragraph.

2.3.2 AW asked about the 2016 Appeals Booklet. IM confirmed that the draft booklets had been sent to commentators, and that he had received comments from half of them.

2.3.3 IM was asked to approach DB to enquire whether there had been any further progress.

ACTION: IM / DB

4.4 JD reported that he had approached one of the EBU's legal advisers, who confirmed that the proposal would require a change to the Bye Laws. Since the committee were ambivalent about whether the proposed changes were appropriate, they decided that the status quo should remain, though they might reconsider the issue should it be raised again by a subsequent Disciplinary Committee.

3 Appeals to the National Authority

None this time

4 Disciplinary Cases

4.1 The committee noted the conclusion of the "Kepler" case.

IP had observed that the Written Record by the Disciplinary Committee had referred to the 'fact' that the defendant was on the Autistic Spectrum. Although this was not disputed, the committee wished it to be minuted that the defendant had never provided any evidence that this was the case, nor offered this as a mitigating factor in his defence.

4.2 [Leibnitz]

The committee considered a letter of complaint from a member about a County Association. MP agreed to look into the issue of whether the county had breached its own constitution.

ACTION: MP

4.3 [Mandelbrot]

A letter had been received by a member, alleging unusual actions on the part of another member, suggesting prior knowledge of the hands.

IM reported that he had passed on the details to our usual statistical expert, who had not been able to report back before the meeting.

4.4 [Napier]

A complaint had been received from a member about the behaviour of another member at a recent Congress.

Although the respondent, in anticipation, had already provided some comments in their defence, the committee agreed that formal processes should be followed, with an official letter being sent to the respondent requesting comments.

ACTION: IM

A third party had written to GR about a related issue. GR was asked to respond.

ACTION: GR

4.5 Three cases arising from the Year End Congress had been considered by the Officers and brought to a conclusion prior to the meeting.

One case involved a member of another NBO. JD wondered what procedures would be if a complaint were to be pursued against such a player. IM observed that the Disciplinary Rules apply to any person participating in an EBU event [paragraph 2.1(iv)]. The committee suggested that there may be a need to contact the appropriate NBO, but if the matter came to requiring a hearing, then it would be heard in England.

4.6 GR had received correspondence from a county secretary with proposed alternative wording to their disciplinary procedures, with a view to making them appear less legalistic and confrontational.

The committee agreed that there was some good wording, but it was not clear what was the purpose of the communication. GR agreed to write a holding letter to the correspondence, while the committee had a further look at the document.

ACTION: GR

- 4.7 HD raised the issue of some players repeatedly being mentioned in CTD reports from EBU congresses, for poor behaviour, although not sufficiently poor to warrant an official Disciplinary Form being completed. The committee felt that no action should be taken unless such behaviour had been recorded on an official form, and suggested that a form should be completed even for milder offences where only a warning had been given. SB observed that the footnote on the standard form suggested that this should already be happening!

The committee felt that if any further action were to be taken against regular offenders, then the offenders need to have been made aware that their behaviour had been recorded (see also item 7.2)

5 Technical Matters

- 5.1 A correspondent raised the issue of a TD not adjusting the score when a player had opened an artificial strong opening that did not comply with the Blue Book regulations on 'strong' hands. The TD had allegedly justified this on the grounds of the hand containing 12 cards in two suits.

FH admitted that this was partly her doing, but that this was nothing to do specifically with there being 12 cards in two suits. The issue was more about whether there was a partnership agreement in place. She had previously suggested in an article that partnerships often did not have understandings about how to deal with 'freak' hands (with a 7-6 hand cited as an example).

The secretary was asked to reply.

ACTION: IM

The correspondence prompted the committee once again to discuss the merits of the latest regulations on 'strong' hands. Alternative suggestions included having no restrictions on 2-level openings, and adopting WBF regulations. This would be discussed further at a later meeting.

- 5.2 RB presented a suggested revision on two sections of the White Book.

Firstly, the section containing lists of standard sanctions for common infractions, whether Procedural or Disciplinary. These were now combined into a single list.

Secondly RB wished to clarify the powers of a club to regulate (as per law 80A3), and of the TD to remedy any omissions (as per 81B1).

- 5.3 Following the circulation of the WBF Laws Committee's commentary on the 2017 Laws, AW raised some concerns about the ability of club TDs in particular to cope with some aspects of the new Laws.

AW admitted that the commentary had helped with the Comparable Call laws, and GR brought to the attention of the committee Ton Koojman's additional notes on that subject.

GR pointed out that although the commentary did not carry the force of the Law, some sections were based on WBF minutes that do have the force of Law. The commentary was to become a 'live' document, and GR had requested of the WBFLC that the document be updated to show which sections were effectively Law.

6. Applications for new permitted methods

None this time

7. Reports from Tournament Directors 18.025 to 18.035

18.025

<p>♠ 10753 ♥ A ♦ AK9873 ♣ 75</p> <p>♠ 62 ♠ AK ♥ 98732 ♥ KQ10654 ♦ J5 ♦ 10 ♣ KQJ8 ♣ A964</p> <p>♠ QJ984 ♥ J ♦ Q642 ♣ 1032</p>		<p>Board 20: Dealer West: Game All.</p> <table><tr><th><i>West</i></th><th><i>North</i></th><th><i>East</i></th><th><i>South</i></th></tr><tr><td>Pass</td><td>1♦</td><td>Dbl</td><td>1♥*</td></tr><tr><td>Pass</td><td>1♠</td><td>Pass</td><td>2♠</td></tr><tr><td colspan="4">All Pass</td></tr></table> <p>* recorded as psyche</p>				<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>	Pass	1♦	Dbl	1♥*	Pass	1♠	Pass	2♠	All Pass			
<i>West</i>	<i>North</i>	<i>East</i>	<i>South</i>																		
Pass	1♦	Dbl	1♥*																		
Pass	1♠	Pass	2♠																		
All Pass																					

There were no further comments written on the form, and FH wondered whether indeed it was intended as a psyche, or whether South thought that they were playing transfer responses. SB reported that this was a pair of juniors; South did not play transfer responses, but had been introduced by North to the idea of psyching.

JD observed that the forename recorded for North on the form was incorrect.

18.028

<div>♠ Q9 ♥ 9853 ♦ A1065 ♣ KQ4</div> <div>♠ 1086 ♠ KJ7542 ♥ AJ106 ♥ 42 ♦ 2 ♦ Q983 ♣ J9865 ♣ 3</div> <div>♠ A3 ♥ KQ7 ♦ KJ74 ♣ A1072</div>	<div>Board 19: Dealer South: E/W vulnerable.</div> <table><tr><th>West</th><th>North</th><th>East</th><th>South</th></tr><tr><td></td><td></td><td></td><td>1NT</td></tr><tr><td>Pass</td><td>2♣¹</td><td>Pass</td><td>2♦²</td></tr><tr><td>Pass</td><td>3♥³</td><td>Pass</td><td>3NT</td></tr><tr><td>All Pass</td><td></td><td></td><td></td></tr><tr><td>Lead ♣6</td><td colspan="2">Result: 3NT = by S</td><td>+400</td></tr></table>	West	North	East	South				1NT	Pass	2♣ ¹	Pass	2♦ ²	Pass	3♥ ³	Pass	3NT	All Pass				Lead ♣6	Result: 3NT = by S		+400
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<div><div><div><div><div>1</div><div>N/E side of screen, alerted, no enquiry</div><div>S/W side of screen, S pointed at bid. No explanation; W looked at system card</div></div><div><div>2</div><div>N/E side of screen, alerted, later explained as minimum with 5-card major</div><div>S/W side of screen, S pointed at bid. No explanation.</div></div><div><div>3</div><div>N/E side of screen, alerted, explained as looking for partner's major</div><div>S/W side of screen, alerted explained as showing 5 spades & 4 hearts (Smolen)</div></div></div><div>System Card contains no further information about Stayman responses.</div><div>System Notes: 1NT - 2♣ - 2♦: Min with 5-card major</div><div>Continuation: "3♣/3♦/3♥/3♠ = Nat (GF)"</div></div></div>																									
<div>Director was called after the hand was completed, West claiming that he would have led a spade had he known that North did not have spades.</div> <div>The director ruled that there was misinformation. However, West is entitled to the correct information, but not the information that there had been a misunderstanding. With the correct explanation of the whole auction, West would conclude that South held the spades, not North, and that therefore the lead would be unaffected.</div> <div>The Referee upheld the director's decision.</div>																									

FH wondered whether DB would have given a different ruling. It may not be the case that what appears in the system notes is necessarily the 'agreed system'.

TR wondered whether it was possible to adjust on the grounds that the failure to complete the system card constituted an infraction. Had this infraction not occurred, and West had heard the explanation at the table, he might have legitimately come to the conclusion that there had been a misunderstanding.

The committee concluded that the ruling itself was not incorrect, but that the TD might have erred in determining that North's understanding of the system was correct. The committee felt that it would be more accurate to say that they had no clear understanding, and that the TD should rule on that basis. GR would contact the TD.

ACTION: GR

18.031

♠ Q10762		Board 17: Dealer North: Love All.				
♥ 3		West	North	East	South	
♦ 9			Pass	1♣	Pass	
♣ AJ10973		1♦	Pass	1NT	Pass	
♠ 843	♠ AK9	3♣	Dbl	3♦	Pass	
♥ A972	♥ KQ10	3♥	3♠	4♠	Pass	
♦ A10432	♦ KQJ5	4NT	Pass	?	Pass	
♣ K	♣ 654	6♦	All Pass			
♠ J5		Play:	♣ A	♣ 4	♣ 2	♣ K
♥ J8654			♣ 9	♣ 5	♣ Q	♦ 2
♦ 876			♦ 9	♦ K	♦ 6	♦ 3
♣ Q82						

Declarer claimed at trick four, stating “drawing trumps”. When asked further, said “I can ruff a heart loser if there is one.” When pointed out that there was a spade loser, he said “not if the hearts come good”. Asked if you mean they break 3-3, he said “or if the Jack comes down”. N/S said that it didn’t, and he accepted making 11 tricks. He later changed his mind.

TD Ruling: West never considered his spade loser in either of his statements, and if his intention was to ruff a heart if necessary, could have played top honours in any order. Concession stands.

The Appeals Committee upheld the director’s decision, but considered the decision to be close, saying that declarer probably would have got it right had play actually continued.

FH was less confident that declarer would have got it right, and would have kept the deposit.

18.032

<p>♠AQ942 ♥J2 ♦93 ♣9652</p> <p>♠J863 ♠5 ♥10984 ♥KQ763 ♦K107 ♦J542 ♣74 ♣AQ3</p> <p>♠K107 ♥A5 ♦AQ86 ♣KJ108</p>		<p>Board 5: Dealer North: N/S vulnerable.</p> <table><tr><th>West</th><th>North</th><th>East</th><th>South</th></tr><tr><td></td><td>Pass</td><td>1♥</td><td>1NT</td></tr><tr><td>2♦¹</td><td>Dbl²</td><td>Pass</td><td>Pass</td></tr><tr><td>2♥</td><td>2♠</td><td>Pass</td><td>3♠</td></tr><tr><td>Pass</td><td>4♠</td><td>All Pass</td><td></td></tr></table> <p>¹ single major, heart support or single-suited with spades</p> <p>² described as Penalties.</p> <p>Lead ♥K Result: 4♠ = by N +620</p>				West	North	East	South		Pass	1♥	1NT	2♦ ¹	Dbl ²	Pass	Pass	2♥	2♠	Pass	3♠	Pass	4♠	All Pass	
West	North	East	South																						
	Pass	1♥	1NT																						
2♦ ¹	Dbl ²	Pass	Pass																						
2♥	2♠	Pass	3♠																						
Pass	4♠	All Pass																							

E/W spoke to TD after the match. They felt damaged because the double of 2♦ had been described as penalties; with the correct information the defence would have gone differently.

TD adjusted to 60% of 4♠-1, 40% of 4♠=.

A/C upheld the TD’s decision, stating that N should have corrected the misexplanation.

FH: It isn’t clear what the actual agreement was, and on which basis the TD (& A/C) made the ruling.

TR clarified that North & South had been asked about their understanding, and they said that they had no agreement. They had been compliant throughout the appeal process, and appeared genuinely unaware that a correction should be offered when they didn’t have an agreement.

18.035

<p>♠AJ7 ♥A9654 ♦Q3 ♣J108</p> <p>♠KQ1053 ♠96 ♥103 ♥J72 ♦74 ♦A1082 ♣K532 ♣AQ87</p> <p>♠842 ♥KQ8 ♦KJ965 ♣64</p>	<p>Board 21: Dealer North: N/S vulnerable.</p> <table><tr><th>West</th><th>North</th><th>East</th><th>South</th></tr><tr><td></td><td>1♥</td><td>Pass</td><td>3♣¹</td></tr><tr><td>3♣</td><td>Pass</td><td>4♣</td><td>Pass</td></tr><tr><td>Pass</td><td>Dbl</td><td>All Pass</td><td></td></tr></table> <p>¹ alerted, explained as invitational with four hearts. Agreement is invitational with 3-card support.</p> <p>Lead ? Result: 4♠* - 3 by W +500</p>	West	North	East	South		1♥	Pass	3♣ ¹	3♣	Pass	4♣	Pass	Pass	Dbl	All Pass	
West	North	East	South														
	1♥	Pass	3♣ ¹														
3♣	Pass	4♣	Pass														
Pass	Dbl	All Pass															
<p>West complained that he would not have bid had he known that South could have only 3 hearts.</p> <p>TD Ruling: Table result stands; Damage did not accrue from misexplanation.</p> <p>A/C adjusted to 50% 3♠-1; 50% 3♥-1 by North; West <u>might</u> not have bid 3♣ with correct info.</p>																	

TR considered this to be a poor decision by the TD, only partially redressed by the A/C, & cites this as a positive reason for retaining the system of appeals (as opposed to the review system adopted in many international events, which only addresses the methodology of the TD decision making, rather than the judgement).

7.2 Disciplinary Forms 2018

The committee reviewed six forms issued during the previous year.

18.504D

A player had called opponents cheats, and said they “should not even be allowed to sit at a bridge table”. The committee deplored such comments, and agreed that the 2VP penalty might have been insufficient.

18.505D & 18.506D

The committee noted that these were Procedural Penalties, not Disciplinary Penalties, issued for blatant abuse of Unauthorised Information, and considered whether forms should be filled in more frequently for similar offences. The form already allows for Procedural Penalties, but GR agreed to notify the TD Panel to encourage them to use the form for cases of blatant UI abuse, and to amend the standard form to make it clearer that such cases should be recorded.

With respect to this and item 4.7, HD suggested that any offender should be asked to sign the form to confirm that they are aware that their offence had been recorded. IM suggested also a tickbox for the TD to record that the opportunity to sign the form had been offered but declined. GR agreed to amend the form appropriately.

ACTION: GR

8 Any Other Business

- 8.1 After the previous meeting, the board had circulated a 'code of conduct' document for members of standing committees. Committee members had expressed concern about some aspects. It is understood that the EBU Vice Chairman had undertaken to make some amendments to the document in order to clarify, in light of these reservations.
- 8.2 JD reported that Steve Barnfield has stepped down as Pro Bono adviser, with effect from the end of January. Joy Mayall has been appointed Pro Bono adviser, and therefore will no longer be on the Disciplinary Panel. Sally Bugden has been invited to join the Disciplinary Panel.

9 *Date of next meeting*

A 'doodle' poll had been initiated shortly before the meeting, but a handful of committee members had not yet signed up. The poll had been limited to Wednesdays, but the committee again raised the question of why meetings are traditionally held on Wednesdays.

A likely week for the meeting had been identified, and IM agreed to extend the poll to other days in that week.

[The date has since been confirmed as Wednesday 22nd May, at 1.15pm.

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

The meeting closed at 4.10pm.