



EUROPEAN BRIDGE LEAGUE

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SUBSEQUENT / CONSEQUENTIAL DAMAGE

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Consequent-Subsequent

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A classic case in a peculiar context

The case Introduction

- The scenario is a high level one - the World Youth "Board-A-Match" (BAM) Teams Championships in Opatija (2011), and the hand under the spotlight was crucial to decide the Gold Medal.
- The appealing side, The Netherlands, were third at the end, but the final rush had meant that the difference between the top three teams was very small, as much as when the hand was discussed by the Appeals Committee, an "orange" win would have meant they had climbed to the top spot!

Facts The cards and the auction

Board 18 Dealer East, NS Vulnerable		West Hop	North Hult	East Helmich	South Ekenberg
♠ 5 2				Pass	1NT
♥ K Q J 5 2		2♠	3♠	3♠	3NT
♦ Q J 8 6 5 4		Pass	4♥	Double	End
♣ -					
♠ K Q 10 9 3	♠ J 6 4	2♠: ♠ and a minor			
♥ -	♥ 10 7 6 3	3♠: North to East: Transfer to ♦ (correct according to the system). South to West: Initially described as natural and forcing (wrong), later corrected to the systematic meaning, when the tray came back after 4♥x.			
♦ 10 7 3	♦ K				
♣ Q 10 8 7 3	♣ K J 9 5 4				
♠ A 8 7					
♥ A 9 8 4					
♦ A 9 2					
♣ A 6 2					

Facts The final outcome

- As you can see, East's Double was not very successful, since North had no problems in piling up all the tricks and scoring no less than 1390. There would have still be no problem, if in the other room, the Dutch had found a way to bid the ♥ slam, since 1430 versus 1390 would have still represented a win.
- However in the other room the final contract was a quite odd 3NT+4, worth just (as we will see "just" is not really the right word) 720 points.

Facts The dispute

- EW called the TD. West stated that had he received the right explanation, he would have certainly bid 4♣ over 3NT, and his side eventually would have easily found a sacrifice. Furthermore, it would have definitively prevented Helmich's Double.

The Laws Introduction

- Since the real agreement of the NS pair was known, there were no doubts that West initially had received a wrong information.
- The first question that needs consideration, is whether, at the time when South's misinformation was discovered, it would still have been possible to settle things down. In other words, would it have been possible to offer West the opportunity to change his "Pass" over 3NT.

The Laws Law 21

LAW 21 - CALL BASED ON MISINFORMATION

[...]

B. Call Based in Misinformation from an Opponent

- (a) *Until the end of the auction and provided that his partner has not subsequently called, a player may change a call without other rectification for his side when the Director judges that the decision to make the call could well have been influenced by misinformation given to the player by an opponent (see Law 17E). Failure to alert promptly where an alert is required by the Regulating Authority is deemed misinformation.*
- (b) *The Director is to presume Mistaken Explanation rather than Mistaken Call in the absence of evidence to the contrary.*

[...]

- When it is too late to change a call and the Director judges that the offending side gained an advantage from the irregularity he awards an adjusted score.*

The Laws Law 21 – Conclusions

1. (a) *Until the end of the auction period and provided that his partner has not subsequently called, a player may change a call without other rectification for his side when the Director judges that the decision to make the call could well have been influenced by misinformation given to the player by an opponent (see Law 17E). Failure to alert promptly where an alert is required by the Regulating Authority is deemed misinformation.*

The blue part tells us that West could not change his Pass anymore, since his partner had already called: he had fatally doubled 4 ♥.

The Laws Law 21 – Conclusions

3. When it is too late to change a call and the Director judges that the offending side gained an advantage from the irregularity he awards an adjusted score.

It was then not possible to go back, but it was still possible to adjust the score.

The specification contained in Law 21B3 is there to say that the inability to rectificate is not the end of the story.

The Adjusted Score The Laws

- Whenever it is possible to award an Adjusted Score, Law 12 is called upon.
- Specifically, two parts are relevant in our case:

The Adjusted Score Law 12B1

B. Objectives of Score Adjustment

- The objective of score adjustment is to redress damage to a non-offending side and to take away any advantage gained by an offending side through its infraction. Damage exists when, because of an infraction, an innocent side obtains a table result less favourable than would have been the expectation had the infraction not occurred – but see C1(b).*

The Adjusted Score Law 12C1b

- (b) *If, subsequent to the irregularity, the non-offending side has contributed to its own damage by a serious error (unrelated to the infraction) or by wild or gambling action it does not receive relief in the adjustment for such part of the damage as is self-inflicted. The offending side should be awarded the score that it would have been allotted as the consequence of its infraction only.*

The TD's ruling Introduction

- In general the TD's ruling should be split in two parts: he should actually look separately at the two sides.
- First of all, he should ascertain whether there is a direct link between the infraction and the table result, and whether the latter is or is not, for the offenders, better than the one that would have been obtained without the infraction.
- Therefore the TD should first ascertain: "What would have happened had the irregularity not occurred"?
- Later, he needs to determine whether the non-offending side contributed to its own damage, and if yes, by how much.

The TD's ruling Introduction, cont ...

Warning!

The WBF Laws Committee stated: Once established that there has been a subsequent damage or – in other words – that there has been a non-offending side's serious error that has caused (part of) the damage, that error cannot be subject to a weighting.

An error is either serious or not, period.

The TD's ruling Introduction, cont ...

Extract from WBFLC minute, 20 October 2011, in Koningshof (NED)

The law requires the Director at times to determine whether one action was or was not subsequent to another. For example, the question may be whether an action by the non-offending side was subsequent to the infraction so that the non-offending side caused damage to itself, in which case the non-offending side does not receive redress for that damage. The Director must determine the fact one way or the other. The timing of the action is a simple factual question, yes or no, and there can be no weighting in applying that law.

The Offending Side Introduction

- The procedure the TD is called upon, is to look for experts to be interviewed, in particular in this case, asking them what they would have done after 3NT with West's cards. These experts are supplied with the correct information, in order to verify whether West's claim that he would have bid 4♣ over 3NT has any grounds. We, obviously, cannot rely just on the players' words!

The Offending Side Technical Evaluation

- In the given circumstances, all the interviewed experts – as well as, later on, the members of the Appeals Committee – deemed it quite likely that West would have bid over 3NT, therefore the answer to the question we have seen before was "even though it was not very clear how things could have been developing – it was quite likely that NS would lose the board".

The Offending Side Conclusions

- In a BAM event, we are not allowed to award fractions of a board (at least under the WBF Conditions of Contest). Even when the result has to be a weighted one, the TD is called upon to evaluate how likely it is for a team to win, tie or lose a board, eventually awarding as the result the most likely one.
- In that case, having as reference the other room's 720, an EW's sacrifice would have been profitable up the level of 7, and it is impossible to allow the offending side to bid the grand slam, specially after what had happened at the table.
- NS then were awarded a lost board or 0 mp.

The Non-Offending Side Introduction

- We now have to turn our attention to EW, and take note of the infraction which caused the damage, because without East's "Double" the final contract would probably have been 4♥+3, and since this is worth 710 points, the 720 scored in the other room would have been enough for EW to win the board, 2 mp and the gold medal!
- It was therefore the "Double" that caused the fatal damage; an action of the Non-Offending Side which, as stated in Law 12C1b, must be submitted to some technical evaluation, in order to decide whether it falls or not within the category of those ones that do not deserve (full) redress.

The Non-Offending Side Technical Evaluation - 1

- The first problem is to decide whether there is a link between the infraction and the Double.
- It is likely there is no, since East has received the right information according to the system. However, there is an argument that East might use in his favour, which is worth discussing.

The Non-Offending Side Technical Evaluation - 2

Board 18

Dealer East, NS Vulnerable

♠ 5 2	
♥ K Q J 5 2	
♦ Q J 8 6 5 4	
♣ -	
♠ K Q 10 9 3	♠ J 6 4
♥ -	♥ 10 7 6 3
♦ 10 7 3	♦ K
♣ Q 10 8 7 3	♣ K J 9 5 4
♠ A 8 7	
♥ A 9 8 4	
♦ A 9 2	
♣ A 6 2	

- Among the various reasons East used to justify his action was the following: "Since my partner certainly would have bid 4♣ if he had held that suit, he then must have ♦s, therefore declarer is going to find all suits splitting badly".
- The above would establish a link, but it is not difficult to demolish such reasoning by carefully analysing it:

The Non-Offending Side Technical Evaluation - 3

Board 18

Dealer East, NS Vulnerable

♠ 5 2	
♥ K Q J 5 2	
♦ Q J 8 6 5 4	
♣ -	
♠ K Q 10 9 3	♠ J 6 4
♥ -	♥ 10 7 6 3
♦ 10 7 3	♦ K
♣ Q 10 8 7 3	♣ K J 9 5 4
♠ A 8 7	
♥ A 9 8 4	
♦ A 9 2	
♣ A 6 2	

- We should not forget that from East's point of view South had bid 3NT over what could have been a merely competitive action by his partner. 3♣ could have come from a hand with just long ♦ and few points, therefore 3NT showing by inference very good diamond support.

The Non-Offending Side Technical Evaluation - 4

Board 18

Dealer East, NS Vulnerable

♠ 5 2	
♥ K Q J 5 2	
♦ Q J 8 6 5 4	
♣ -	
♠ K Q 10 9 3	♠ J 6 4
♥ -	♥ 10 7 6 3
♦ 10 7 3	♦ K
♣ Q 10 8 7 3	♣ K J 9 5 4
♠ A 8 7	
♥ A 9 8 4	
♦ A 9 2	
♣ A 6 2	

- I'm going to prevent the typical objection raised by the players and, unfortunately, even by some of the less expert TDs: It is true that South bid 3NT thinking that 3♣ was natural and forcing, and not over a 3♠ that showed a potentially weak hand with ♦. However, East has no rights to know this; a player has indeed the right to know the opponents' system, and to draw inferences from that system, but he does not have the right to know about any mistakes made by the opponents arising from the lack of knowledge of their own system.

The Non-Offending Side Technical Evaluation - 5

Board 18

Dealer East, NS Vulnerable

♠ 5 2	
♥ K Q J 5 2	
♦ Q J 8 6 5 4	
♣ -	
♠ K Q 10 9 3	♠ J 6 4
♥ -	♥ 10 7 6 3
♦ 10 7 3	♦ K
♣ Q 10 8 7 3	♣ K J 9 5 4
♠ A 8 7	
♥ A 9 8 4	
♦ A 9 2	
♣ A 6 2	

- To pretend that West should necessarily bid whenever he owns the suit is quite an exaggeration, since 2♠ may easily come from a hand containing as many as four small ♣.

The Non-Offending Side Technical Evaluation - 6

- Therefore, there is no link between the Double and the infraction and we should now question, whether the "Double" represents a "serious error"?
- East justified it with the following reasoning: "It was possible that NS had a bad misfit, and since the game is a BAM, you ought to take a risk if you want to win". It thus seemed that the "Double" had no "optional" tone, but was meant and understood (from the partnership's style) as strictly for penalty.

The Non-Offending Side Technical Evaluation - 7

- Once more, to obtain the necessary answers, we have to seek for some expert opinions.
- All the players interviewed by the Chief TD, as well as, eventually, the members of the Appeals Committee, thought the "Double" was silly and grotesque.
- North had shown no less than a "red" 6-5 hand with game forcing values, so the likelihood that the "Double" would lead to a disaster was very high.

The Non-Offending Side The TD's evaluation

- There was no link between the infraction and East's action.
- East's mistake has been classified as "serious", such as to fulfill the requirements of Law 12C1b.
- EW had then been responsible for their own damage.
- Without that error EW would have won the board; therefore the damage had been totally self-inflicted.
- Therefore EW did not receive any redress, and the board was scored as "0 to 0".

The Adjusted Score

- Calculating the final score is very easy in this hand, since the damage was totally self-inflicted, and it was a BAM, but it could have been more complicated in a different scenario.
- So, let's have a look how it works with VP-, KO- and MP-scoring.

The Adjusted Score IMP / VP-scoring

Still assuming the score from the other room being +720 the TD has to assess 3 scores (for the non-offending side):

- The table score (which is not so hard to assess);
- The expected score (i.e. the score that would have been reached had the non-offending side not contributed to her own damage);
- The normal score (i.e. the score that would have been reached had there been no infraction. That is (normally) the same score that will be assigned for the offending side).

The Adjusted Score IMP / VP-scoring cont ...

- The table score (+1390) leads to -12 imp for the non-offenders.
- The expected score (+710) leads to 0 imp.
- The normal score (let's say: 7♣X -3, NS +500) leads to +6 imp for the non-offenders.

The gap between the table score and the expected score (here: 12imps) is the self-inflicted damage, which decreases the redress for the non-offending side. So, EW get $+6 - 12 = -6$ imp.

NS, on the other hand, get the normal score, i. e. -6 imp too.

The Adjusted Score IMP / KO-scoring

Playing a KO-match the assessment and calculation of the 3 scores is the same. Only at the end the TD has to average the two resulting scores in case that they do not balance.

Here for both sides the score was calculated -6 imp, so the average in a KO-match will be 0 imp for both sides.

The Adjusted Score MP-scoring

In a MP-event the TD still has to calculate these 3 scores by inserting them – separately – into the frequency table.

Assuming:

- The table score (-1390) is worth 25%;
- The expected score (-710) is worth 80%;
- The normal score (-500) is worth 95%;

The self-inflicted damage (the gap between the table- and the expected score) is 55%, which decreases the normal adjusted score and results in a 40% score for the non-offenders (EW).

NS will get the normal score, which means 5% for them.