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The Review Process

and how it affects the work of the TD

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The Review Process and how it affects the work of the TD

Unlike the classical appeal process, the review process is not meant to deal with or decide on matters of bridge judgement but rather to determine whether the TDs decision involving bridge judgement was arrived at after proper procedure.

The review procedure has a big potential drawback – the limitation on the appellant to present his case to the body making the final decision. To a large extent this now is the job of the director. The TD now has to make sure that he adequately represents the viewpoint not only of his decision but also of the appellant he is ruling against.

To summarize the above two paragraphs: The reviewer has to check whether the TD has done his job correctly.

It is assumed that the TDs at this course are well versed in the gathering of all relevant facts and in the implementation of the laws, in particular Laws 12 and 16. TDs should be familiar with the 2014 edition of the WBF Code of Practice.

Before discussing how the implementation of the Review Procedure affects the work of the TD let's list chronologically how a TD deals with a call to the table.

1. TD determines facts and relevant details from parties involved.
2. TD consults other TDs (and if necessary makes further determination of facts) and forms a tentative decision.
3. TD consults (polls?) relevant persons.
4. TD shares results of consultations with other TDs and forms decision.
5. Decision is conveyed to the parties involved, giving reasons for the decision.
6. Parties are informed of their right to seek a review and the possible grounds for seeking such a review.
 - Should one or both parties want to seek a review:
7. TD fills in form.
8. Appellant checks form, and fills in comments and reason for appeal. Signatures, deposit.
9. If necessary TD checks disputed points with both sides.
10. Case handed to reviewer.

The Reviewer proceeds in accordance with the Review Regulation of the EBL (see Appendix 1). Here are the main points of the relevant regulation

*When the tournament director notifies players of a decision, they will be told of their right to seek a review and of the possible grounds for seeking such a review.
The player will fill in the relevant form stating his reasons for asking for a review and hand the form to the TD who will arrange for the review.*

The Reviewer will check that the TD has gathered the necessary evidence of what occurred when the infraction arose.....(and) needs to be satisfied that the correct law was applied and that other TDs were consulted where appropriate.

In matters involving the judgement that was exercised by a player following unauthorized information, incorrect explanation or failure to alert, the Reviewer will clarify that suitable players have been asked appropriate questions to enable a judgmental view to be obtained. Finally the Reviewer will check that the ruling that was issued based upon all the information available to the TDs was within the bounds of reasonableness.....

In the event that the process had not been followed properly in some material way, the Reviewer will ask the Head TD to correct the failings and issue a new ruling.

How does the Review process affect the actions of the TD?

(the appellants) will be told of their right to seek a review and of the possible grounds for seeking such a review

The possible grounds are:

- incorrect law or application
- players consulted not suitable
- questions asked not appropriate
- (new facts coming to light)
- Unreasonable decision (? See Appendix 2)

In practice, the appeal will usually be based on flawed procedure and process (and rarely on incorrect application of law or new facts coming to light).

If a player wishes to check the process **he must be given details of the process**, otherwise he cannot know if the process was flawed. This is completely obvious but unfortunately not followed in many cases of review. The appellant must know what laws were applied, who the consultants were, what the consultants were told and what they were asked, and what their opinions were.

The TD will normally discuss with other TDs the question of which law to apply and how to apply it. If there is any doubt as to the application of a law this doubt should be conveyed to the reviewer. The Reviewer may choose to consult the head TD or a member of the Laws Committee if present.

It is usually not advisable to give the appellant the names of the players consulted, but he should be given details of the consultants' suitability for the process. For example, Consultant 1 is a NPC of a National Team and has represented his NBO in international competitions.

The appellant must be told what facts each consultant was presented with, what questions were asked, and what the replies or comments of each consultant were.

It is essential that the TD keep a written record of the main facts presented, the questions asked of the consultants and the names and answers/remarks of each consultant.

The TD fills in the relevant parts of the Request for Review form (see PDF copy at end of this document) and gives it to the appellant.

.....The player will fill in the relevant form stating his reasons for asking for a review.....

After receiving the information and form as described above the appellant should fill in the Review Form stating clearly why he thinks the process is flawed. **This step is essential.**

.....The Reviewer checks that the TD has gathered the necessary evidence needs to be satisfied that the correct law was appliedclarifies that suitable players have been asked appropriate questions to enable a judgmental view to be obtained.

This is where the Review system takes over from the Appeal Committee System. As the appellant no longer has the opportunity to present his case to a committee, the Reviewer must ensure that the appellant's case has been accurately presented to the players consulted. In order to do, and depending on the circumstances, the reviewer may do one or more of the following:

- clarify facts etc. with the TD
- get the names and status of the players consulted
- get details of each consultants opinions
- interview one or more consultants to ascertain what they were told and asked-
- interview the appellant to confirm or establish facts

Again, the Reviewer does not question or decide matters of bridge judgement, only whether the process as described in the regulation was carried out satisfactorily. If the process was implemented correctly then the decision of the TD will stand, otherwise the reviewer will return the case to the TD to rectify the flaw.

A summary of the stages of the Review Process can be found in Appendix 3.

Some Notes on Consulting and Polling

This is one of the key factors in ensuring that the rights of the appellant to have his case presented fairly are ensured.

Most of the cases reviewed will involve deciding whether there was a logical alternative to the action chosen at the table.

The usual four key questions for dealing with an allegation of UI are well known, and clearly stated in the WBF Code of Practice (see Appendix 4).

After determining that there was UI, the TD must determine whether there was an LA (or LAs) to the action chosen by the player, and if so, whether the chosen action was demonstrably suggested by the UI. At some stage the TD has also to determine whether there has been possible damage to the NOS.

[Law 16B 1\(b\)](#) (see Appendix 5) deals with logical alternatives. Let's look at some of the terms used in this law.

“class of player”, “same methods” – In choosing consultants the TD must take into account caliber, category and inclination. This is not always practical and depends to a large extent on the competition. However, the “class of player” is essential relevant information for the consultant, as is “same methods”.

Preferably, the consultants should not have seen the hand before, but again this is not always practical. (Some countries maintain a panel of players available for consultation by phone or email.) TDs are also potential consultants in many cases and should be treated in exactly the same way as regular consultants.

“significant proportion” - not specified in the laws but usually assumed to be one in five. From this it follows that at least five consultants should be asked (the WBF specifies this) but depending on circumstances three may be sufficient.

“serious consideration” is what it says it is, not just a passing thought.

With the above in mind the TD should provide the consultant with all the relevant facts and ask relevant questions. They should not be told the names or the NBO of the parties concerned. They should also not be asked together but separately.

Always remember that the TD is consulting to determine the consultants' opinions – not to confirm his or the collective TD opinion.

Initially questions should be of the type “what would you do/call”. The consultants should be given the player's actual understanding of the situation, which may not necessarily be the correct understanding. For example, if the player believes that partner's bid was non-forcing then that is the information that the consultant should be told. The consultant should also not be told (initially) what the UI was, although he will often guess this. When it is possible to “hide” the nature of the infraction from the consultant this should be done.

Ask the consultant for his reasoning behind his decision (and be aware of possible problems when the consultant has not agreed with previous actions by the player).

The answers to the initial questions may suggest follow-up questions, such as “Would you consider any other action”.

If consulting verifies that there was an LA the TD should tell the consultant what the UI was and there may be further questions (in accordance with Law 16B 1(a)), to determine whether the action at the table was **demonstrably** suggested by the UI (“does the slow 4S demonstrably suggest passing rather than bidding 4NT?”). If the UI could suggest two (or more) actions then it did not demonstrably suggest any one of them.

It is essential that the TD should keep a written record of the above.

Appendix 1: from the EBL General Conditions of Contest (December 2015)

31.1 Review Procedure

Appeals will be heard by a “Reviewer” appointed by the Championship Committee.

When the tournament director notifies players of a decision, they will be told of their right to seek a review and of the possible grounds for seeking such a review. Unless specified otherwise in the SCoC the time limit for seeking a review is in accordance with Law 92B.

The player will fill in the relevant form stating his reasons for asking for a review and hand the form to the TD who will arrange for the review. A deposit of Euro 100 must accompany the form. The Reviewer will check that the TD has gathered the necessary evidence of what occurred when the infraction arose. The Reviewer will then need to be satisfied that the correct law was applied and that other TDs were consulted where appropriate. In matters involving the judgement that was exercised by a player following unauthorized information, incorrect explanation or failure to alert, the Reviewer will clarify that suitable players have been asked appropriate questions to enable a judgmental view to be obtained. Finally the Reviewer will check that the ruling that was issued based upon all the information available to the TDs was within the bounds of reasonableness. The fact that the Reviewer might have determined a slightly different ruling would not be good reason for the ruling to be varied. In the event that the process had not been followed properly in some material way, the Reviewer will ask the Head TD to correct the failings and issue a new ruling.

The Euro 100 deposit will be forfeited and the penalties described in Sections 21.2 and 21.3 of the GCoC will be deducted from the score of the appealing side if in the opinion of the reviewer there is insufficient basis for requesting the review.

Appendix 2: Possible reasons concerning “unreasonable” decision:

12A1. The Director may award an adjusted score when he judges that these laws do not provide indemnity to a non-offending contestant for the particular type of violation committed by an opponent.

81C5. (TD’s duties include)to waive rectification for cause, in his discretion, upon the request of the non-offending side.

90A. The Director, in addition to implementing the rectifications in these Laws, may also assess procedural penalties for any offence that unduly delays or obstructs the game, inconveniences other contestants, violates correct procedure, or requires the award of an adjusted score at another table.

91A In performing his duty to maintain order and discipline, the Director is empowered to assess disciplinary penalties in points or to suspend a contestant for the current session or any part thereof. The Director’s decision under this clause is final and may not be overruled by an appeals committee (see Law 93B3).

91B: The Director is empowered to disqualify a contestant for cause, subject to approval by the Tournament Organizer.

93B3. In adjudicating appeals the committee may exercise all powers assigned by these Laws to the Director, except that the committee may not overrule the Director in charge on a point of law or regulations, or on exercise of his Law 91 disciplinary powers. (The committee may recommend to the Director in charge that he change such a ruling.)

Appendix 3: Stages in the Review Procedure

1. TD determines facts and relevant details from parties involved.

2. TD consults other TDs, possible further determination of facts.

3. TD and consultant

- 3.1. Important: Consultants must be interviewed separately and must not be told names or countries of parties.
- 3.2. Note in writing or recording: Rank or standard, age, current status, gender, familiarity with system (possible country)
- 3.3. Note in writing or recording: Details of question asked and answers, including comments, doubts

4. TD gives ruling to Appellant

- 4.1. Explain ruling and legal basis for ruling
- 4.2. Give details of consultants w/o names
- 4.3. Explain questions asked and answers
- 4.4. Explain possible grounds for review, and possible sanctions

5. Review form

- 5.1. TD fills in form
- 5.2. Appellant checks comments, facts etc. and fills in his comments and reasons for appeal (mandatory)
- 5.3. TD again confirms facts, if necessary with opponent and/or partner
- 5.4. Signatures, deposit

6. Reviewer

- 6.1. Receives details of consultants in para. 3, including names
- 6.2. Decides if enough consultants and if they are appropriate
- 6.3. Checks with TD about questions asked and answers
- 6.4. If necessary and depending on actual case, rulings and people involved, checks with appellant (and opponent if necessary) whether anything further to add and whether steps in para. 4 were followed
- 6.5. Particularly for non-trivial cases, chooses one consultant (or more) and checks how position was explained, and what his answers were
- 6.6. If necessary checks with expert re law or play/bid problem (rare)
- 6.7. Determines decision and sanction/s (including possible return to TD for further consideration)

Appendix 4: Extract from WBF Code of Practice:

When use of unauthorized information is alleged there are four key questions for the Reviewer:

1. Does the player have unauthorized information in consequence of an action by his partner or otherwise as the Laws provide?
2. Could the unauthorized information suggest demonstrably the action that was taken by the player who possessed it?
3. Were there logical alternatives (or was there a logical alternative) that the player could have selected in place of the action that is questioned?

Law 16 B 1 (b) defines:

A logical alternative action is one that, among the class of players in question and using the methods of the partnership, would be given serious consideration by a significant proportion of such players, of whom it is judged some might select it.

4. Have opponents been damaged in consequence of the player's action when he was in possession of the unauthorized information? For example, did the offending side gain a better score in consequence of the infraction?

Damage is assessed in terms of the score obtained.

If the answer to each and every one of these four questions is "YES" it is appropriate to adjust the score but not otherwise.

Appendix 5: Law 16B

LAW 16B. Extraneous Information from Partner

1. (a) After a player makes available to his partner extraneous information that may suggest a call or play, as for example by a remark, a question, a reply to a question, an unexpected* alert or failure to alert, or by unmistakable hesitation, unwonted speed, special emphasis, tone, gesture, movement, or mannerism, the partner may not choose from among logical alternatives one that could **demonstrably have been suggested** over another by the extraneous information.

(b) A logical alternative action is one that, among the **class of players** in question and using the **methods of the partnership**, would be given **serious consideration** by a **significant proportion** of such players, of whom it is judged **some might select it**.

Appendix 6: Review Form (following)



REQUEST FOR REVIEW OF TD DECISION

Teams	Pairs	Open	Women	Seniors	Mixed	Date:			
Appellant NS EW		Director:			Captain (teams) or Partner (pairs) signature:				
NORTH				NBO	EAST		NBO		
SOUTH				NBO	WEST		NBO		
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>♠ _____</p> <p>♥ _____</p> <p>♦ _____</p> <p>♣ _____</p> </div> <div style="width: 10%; text-align: center;"> <p>♠</p> <p>♥</p> <p>♦</p> <p>♣</p> </div> <div style="width: 40%; text-align: center;"> <table border="1" style="margin: auto;"> <tr><td style="width: 20px; height: 20px;">N</td></tr> <tr><td style="width: 20px; height: 20px;">W E</td></tr> <tr><td style="width: 20px; height: 20px;">S</td></tr> </table> </div> <div style="width: 45%;"> <p>♠ _____</p> <p>♥ _____</p> <p>♦ _____</p> <p>♣ _____</p> </div> </div>				N	W E	S	Brd:	Dlr:	Vul:
				N					
				W E					
				S					
				BIDDING					
				West	North	East	South		
Contract:			Result:						
Result other table:									

COMMENTS:

TD COMMENTS: (TD Called when? _____)

