



# EUROPEAN BRIDGE LEAGUE

## Tournament Directors' Seminar – 27<sup>th</sup> to 31<sup>st</sup> January 2006.

### **Subject: Policy for Appeals Committees**

Section G of the Rules and Regulations for the 47<sup>th</sup> European Open and Women's teams Championships reads as follows:

#### ***APPEALS AND APPEALS COMMITTEE***

##### ***1. Appeals***

###### ***1.1 Procedure***

*A team, through its captain, may appeal against the ruling of a Tournament Director provided that the appeal is made within 30 minutes of the conclusion of the match. Notification of intention to appeal must be given to a Tournament Director.*

*In the first instance such notification need not be in writing, but it should be committed to the official Appeals form as soon as it is practicable with the help of the Tournament Director who made the ruling and the form when completed should be given to the Tournament Director who will hand it to the member of the Appeals Committee on duty.*

*The Appeals form should be completed correctly.*

*The Tournament Director states the facts (board identification and as relevant the auction and/or play), what happened at the table, the ruling and who made the appeal. Each team by its captain may add its remarks to the statement of the Tournament Director and may state whether they wish to make an oral statement to the Appeals Committee.*

*The Appeals form must be signed by the Tournament Director and the captains of both teams involved.*

*After signing no alterations are allowed.*

*Once lodged, an appeal may be withdrawn only by the captain of the appellant team.*

*A deposit must accompany each appeal. The amount of the deposit will be Euro 60. If the appeal is rejected this deposit will be returned if the appeal is judged to be well founded, but not otherwise.*

*One or more of the team appealing (players or captain) must present himself at the hearing of the appeal. If no-one from the team appealing presents himself at the hearing the Appeals Committee shall dismiss the appeal and the deposit shall be forfeit. The other side involved is entitled to attend, to make statements and to answer questions; failure to appear can sometimes make it difficult for the Appeals Committee to explore the facts and may therefore disadvantage its case (a player whose actions the committee may wish to explore should not assume that the committee will readily accept explanations by captain or partner in relation to thought processes, state of mind, or the like).*

#### *1.2 Practices in the Appeals Committee*

*On receipt of the duly completed Appeals form as provided in Rule G.1.1. the Tournament Director will as soon as possible inform any member of the Appeals Committee on duty, who will advise the Tournament Director at what time the Appeals Committee will convene to hear the appeal.*

*The Appeals Committee will be entitled to interview and to take into account the statement or representations of any person and any documentary matter that it considers may assist the Committee to reach a decision. The WBF Code of Practice has been adopted by the EBL and applies in the procedures and decisions of the Appeals Committee unless directly in conflict with a specific statement in these Rules and Regulations (see particularly 2.1 following).*

*The decisions of the Appeals Committee will be written on the Appeals form and handed to the Tournament Director for him to notify the teams concerned.*

## **2. Appeals Committee**

### *2.1 Composition of the Appeals Committee*

*Each appeal against the ruling of a Tournament Director will be dealt with by an Appeals Committee appointed by the President of the E.B.L. and the chairman of the Tournament Appeals Committee. The chairman of the Tournament Appeals Committee may, before the commencement of or during*

*the tournament, appoint additional members of the Appeals Committee who shall have full voting powers.*

*The President of the E.B.L. is automatically a member of the Tournament Appeals Committee. Three members of an Appeals Committee form a quorum. Any member of the Tournament Appeals Committee whose national team is concerned shall abstain from taking part.*

## *2.2 Investigations*

*The Tournament Appeals Committee may at its discretion investigate any matter touching upon or arising out of the Laws, the Proprieties or these Rules and Regulations, which may arise during the course of the Championship irrespective of the way in which such a matter has been brought to its attention either by way of an appeal against a Tournament Director's ruling or on its own initiative or otherwise howsoever.*

## *2.3 Judgment*

*The Tournament Appeals Committee, also acting as the national authority as meant in Law 93.c., shall have the power to determine all facts and decide all questions of law, whether under the Laws, the Proprieties or these Rules and Regulations, arising from any appeal or investigation and its findings and decisions will be final. The Appeals Committee may confirm, reverse, vary or modify the findings or decisions of a Tournament Director (except those foreseen by Law 93.B.3.) and remove, increase or vary any penalty which may have been imposed, or substitute a different class of penalty or an adjusted score.*

*On an investigation made from reasons other than of an appeal the Tournament Appeals Committee may impose such penalty on any party or direct that such an adjusted score be entered for any boards as it shall deem proper.*

*In any case whether on an appeal or otherwise, where circumstances are considered by the Committee to justify or require it, the Appeals Committee may recommend to the Executive Committee to suspend a player or players for one or more sessions or for the remainder of the current Championship or disqualify a team. This rule does not in any way affect the power of suspension given to the Chief Tournament Director under the Laws.*

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We now look at the implementation of these regulations and the policies that should guide the procedures in EBL Appeals Committees. Whatever I may say in this connection is personal opinion based upon experience in appeals committees since the mid-1970's and the beliefs to which these experiences have led. Nothing I say is sacrosanct. All that I intend is to provoke thought, debate and, hopefully, renewed progress in the future.

## **A. CHAIRING APPEALS**

The character of an appeals committee changes with its chairman. The objects and the procedures do not alter but the quality of life in the committee changes. Key to the working of the committee is the discipline and good order of its members. It is the Chairman's duty to take charge, explain clearly to all present how the appeal will be heard, and restrain anyone – and in particular appeals committee members - from breaches of the procedure he has stated.

## **B. COMMITTEE MEMBERS**

For selection to serve on appeals committees chairmen and members should possess in particular the following qualities:

### 1. The ability to listen.

They must listen without interrupting whilst the table director is stating the facts, reporting his ruling, and explaining the basis of his ruling. They must allow players to speak in their turn without undue interruption. The object of the exercise is to learn what has occurred and how it has come about.

### 2. The ability to enter into the minds of players of whatever degree at the table.

It is essential that committees deal with players at their levels. The committee's purpose is not to impose the beliefs of its members on the players but to understand the players' manner of thinking and to make its judgements in that context.

### 3. An extended understanding of the game.

It is frequently argued that 'strong players' should sit on committees. This element is essential, subject to the priorities already listed. It is important that committees should be able to follow the arguments put to them in committee. For this wide experience of the game is needed.

### 4. Self-discipline.

When a question is asked members should listen to the answer, clarify it if necessary, but they should not enter into debate with players. Any challenge they wish to make to the answer received should await the private deliberations of the committee. It is anathema to have debate winging its way across the committee table between players and committee members; it is the duty of the chairman to stop it. The role of the committee is judicial and its demeanour should be judicial. It should not reveal to the parties the reactions of its individual members to what it hears.

## **C. PROCEDURE**

**1.)** The committee should preferably comprise either three or five members including its chairman. Four members can lead to a difficulty if there is no consensus, but in the event of an equal division of votes my practice as chairman is to enter a casting vote in support of the Director. The more self-believing chairmen tend to enter a casting vote in support of their own views which I rate a dubious inclination to believe one committee member's opinion more equal than the rest.

**2.)** The committee should assemble and then invite the Director to bring in the players and, in a team event, the Captains should they be in attendance. Facing the committee the side appealing should sit to the right of the Director. The responding side sits to his/her left. The Director distributes copies of the appeal form and passes the appellants' deposit to the Chairman. The Chairman introduces the members of his committee and the players/captains introduce themselves. Committees sometimes learn the Director's identity from deciphering the signature on the form or from previous encounter.

**3.)** Apart from players present at the table and their captains the presence of anyone else is by permission of the Chairman. The common situation in which this is granted is when a player needs an interpreter. The Chairman does not otherwise permit any other player from either team to attend. Occasionally a guest may be permitted to observe proceedings. In a rare instance the committee may hear, in the presence of the parties, evidence from a witness considered to be disinterested.

**4.)** The Director informs the committee of the stage at which he was called to the table and recites the facts of the case as he has learned them. Both sides are given the opportunity to clarify any question of fact. The Director then informs the committee of his ruling and of the basis for it.

**5.)** The appellant is then invited to say in what respect it is suggested the Director has erred in the ruling and to explain what has happened. The principle is that the committee starts in the belief that the Director has ruled correctly. It is for the appellant to persuade the committee that the ruling is not justified. The Chairman, and then members of the committee, may ask questions.

**6.)** Next the responding side is invited to comment and raise anything that it feels is relevant. Again the Chairman and committee members may ask questions. All communication should be through the Chair. Dialogue between appellant and responder must be inhibited throughout the hearing.

**7.)** When all matters presented have been clarified to the committee's satisfaction the parties, including the Director, retire. Occasionally the director may be asked to remain momentarily, usually to clear up a point of law or regulation, but he is not present during the committee's deliberations.

8.) When the committee has formed its conclusions the decisions are written on the appeal form and signed by the Chairman. If available the parties are called in again and the Chairman verbalises the committee's decisions. If the committee has released the players – as may be the case when time presses for them to return to play etc. – the Chairman informs the Director who will pass the decisions to the two sides.

9.) The Director is responsible for communicating the effects of the decisions to the Scorer.

#### **D. POWERS OF THE APPEAL COMMITTEE.**

1.) The appeal committee's powers are established under Law 93B3. It may exercise any of the powers of the Director except it may not overrule the Director on a point of law or regulation, nor on the exercise of his powers under Law 91.

2.) If the committee has doubts about the Director's interpretation of the law or regulation it should invite the Director to reconsider. Nothing further can be done on site but if it continues to be disturbed by the ruling the committee does have the power in Law 81C9 to refer the matter to the national authority.

3.) However, for its Championships the EBL circumvents the position in the laws as described in 2. It does this by appointing the Tournament Appeals Committee as the national authority "as meant in Law 93C" for the purposes of the Championships.

#### **E. FURTHER POWERS**

Under the regulations the Tournament Appeals Committee is designated to investigate in the first instance any matter touching upon or arising out of the Laws, the Proprieties or the Rules and Regulations. In such cases it is given extensive powers. See the extract from Regulation G at the commencement of these notes.

*Grattan Endicott*

*January 2006.*