

## **“ETHICS IN BRIDGE”**

### **“TOURNAMENT DIRECTOR’S ROLE, FUNCTION, PROFESSIONALISM & DEONTOLOGY”**

Notes of a lecture delivered to an EBL  
TD's Seminar by Bill Pencharz on 7th Feb 2004

Yesterday, you were all handed three questions for consideration before this morning’s lecture. Of the three I intend only to answer the third – what is the standard of proof in cheating cases – but I hope to give you some insight into the first and stimulate discussion on the second.

But before addressing the questions I want to look at Appeal No 21 from last year’s European Championships at Menton as an object lesson in what can go wrong, if the fates really conspire against the organisers of a bridge event.

The Report is like the one-eighth part of an iceberg which is visible. The other seven-eighths do not make happy listening. Here are the full facts:

- After normal time the Tournament Director in charge of the room had to attend (another) appeal which took a long time. No other Tournament Director remained on duty.
- When the Tournament Director returned from the appeal he found the two teams (level on score) waiting. Meanwhile all the boards had been cleared away. The Tournament Director had to check the Regulations, find four extra boards and get the teams playing.

- In consequence the extra four boards were not completed until two hours after the end of normal play.
- Before going to bed that evening the Tournament Director knew there would be an appeal and that the result of the appeal could affect the result of the match. In other words it was very important. Nevertheless he did not inform the Chairman of the Appeals Committee and nor (so far as I can tell) did he inform the Chief Tournament Director.
- The result of the appeal is clearly expressed in the Report. What is not stated is that there was considerable confusion over what was the correct penalty for the offending side using a Brown Sticker Convention. At first, the Tournament Director applied a penalty of 3 imps which resulted in the non-offending side “winning” the match.
- Consequently the non-offending side sat down to start playing the next match. Only to be removed and replaced by the “offending” side when the Chief Tournament Director changed the penalty to the correct 1.5 imps.
- As you can imagine, the result was dissatisfaction from the “offending” team that won the match after such a traumatic experience and the greatest possible dissatisfaction from the “non-offending” team who first had a ruling that they had won the match only to have it changed and to find that they had lost.
- But none of the above is as bad as the following:  
**the Appeals Committee had applied an old version of the Systems Policy which had been varied by the (current) 2002 version. Under the 2002 version the opening bid of 2 diamonds used by the “offending” side is not a Brown Sticker Convention.**

- Thus in a roundabout way, but satisfying nobody, the correct team had won the match!

There are some profound lessons to learn from this story. From a Tournament Director's point of view I would highlight three in particular.

First the true professionalism of the Tournament Director (whether he is working alone or part of a team) is shown by his commitment always to put the players first. (Dinner, time off, the need for a rest, must always come a very bad second.)

Second, Tournament Directors need to keep appropriate colleagues (for example the Chief Tournament Director) and officials (for example the Chairman of the Appeals Committee) informed every time something difficult happens. It is also the duty of these people to put the players first. Assuming they do they will be able to help you in the performance of your duties.

And third, Tournament Directors need to make sure that they have all the up to date and correct laws, Regulations and Policies with them at all times. To rely upon somebody else to produce the necessary piece of paper when required is a serious error.

Although what I am about to say regarding ethics and deontology are very important, nothing, from a Tournament Director's point of view, is more important than having a thoroughly prepared, willing and professional attitude towards your job.

Soon after Boris Shapiro died last year I received an e-mail from Alan Truscott asking if I would help him by writing a foreword to a new edition of the book

he wrote over 30 years ago, *The Great Bridge Scandal*. For those of you not old enough to remember, the British pair Terence Reece and Boris Shapiro were accused of cheating whilst playing in the 1965 Bermuda Bowl. The pair was found guilty of cheating at first instance by the World Bridge Federation, and the WBF then referred the matter to the British Bridge League which after a long and expensive enquiry exonerated the pair. After that Terence Reece wrote a book, *Story of an Accusation*, stating that he and Shapiro had not cheated, whilst Truscott wrote his book, *The Great Bridge Scandal*, stating that they did. *The Great Bridge Scandal* was never published in Europe because of the laws of libel. However, now that both Reece and Shapiro are dead Truscott wishes to publish his book in Europe as dead men cannot sue.

Truscott was not asking me to agree with him but, rather, to express an opinion on whether or not accusations of cheating need to be proved, “beyond all reasonable doubt”. After mature reflection I declined to write the foreword – not because I do not have a completely clear opinion, which I do – but because I do not want to be seen to be taking sides in what remains a very bitter, albeit uniquely Anglo-Saxon, dispute.

What the Reece Shapiro affair (and certain, subsequent, high profile accusations) taught the lawmakers and administrators is that *prevention is far better than cure*. Thus over the last 35 years the Code and Tournament Regulations have been revised and devised to keep players from cheating. And, indeed, it has gone further than that; as part of the process the very use of the word “cheat” in an accusorial way by a player is now regarded as improper conduct.

Let us look at some of the ways laws and regulation have eliminated the “c” word from bridge:

- Bidding after a hesitation – Tournament Directors (and Appeals Committees) apply an objective test after a hesitation. It is irrelevant whether the player deliberately took advantage of his partner's hesitation. Accordingly there is no need to determine whether a player did take advantage and no stigma attaches to a player if the decision goes against him.
- Bidding boxes – which take the intonation out of bidding.
- Screens – which eliminate a player's ability to communicate to his partner through body language.
- Credentials Committees – which only operate in International Championships but which have been highly effective in deterring dubious players and pairs.

The Code (and Regulations) set out how players are to conduct themselves at the table. If they breach the Code there are sanctions which are imposed by the Tournament Directors. However, breach of the Code is just that – a breach, for which there is a sanction – it does not amount to an allegation of cheating. Consequently most of the heat and fury of allegations of unethical conduct have been removed from the game.

The two men most instrumental in bringing about this happy state of affairs are Edgar Kaplan (for the laws) and Jimmy Ortis-Patinõ (for the regulations). The bridge world owes a debt of gratitude to both of them.

If I can risk a social comment as an aside, how much better society would be if it organised itself to prevent crime rather than having to clear up the mess after crimes are committed.

Tournament Directors are the policemen of the bridge world. It is your job to maintain ethical standards. Happily, and unlike society as a whole, you are

given the tools to do so through the Laws of Bridge and Tournament Regulations. For the most part you do not have to be judgemental about people's ethics. Rather, the answer is obtained by applying objective tests.

At least it is most of the time. There are two exceptions and without wishing to detract you from the main lesson – which is to apply the Code and Regulations objectively – these exceptions do need to be looked at.

Consider the first question which I posed yesterday. How should one deal with very inexperienced players? It is an over-simplification to say that one should simply apply the law, because that overlooks a bigger issue. Namely that like any other sport Bridge can be compared to a pyramid. At the top are a limited number of top players, officials and Tournament Directors. Those at the top are supported by the vast majority of lesser players. And the further one goes down the pyramid the weaker, and less experienced the players become. If you drive away the inexperienced players through over-regulation or through an over-officious application of the laws you weaken the pyramid. Do it too often and the pyramid will collapse. One has to strike a balance and Tournament Directors are part of that balancing process. So, I might add, are good bridge players. It always strikes me as madness for strong players to bully weaker players. They (the weak players) are, after all the providers of the experts' livelihoods. A far better approach is the one adopted, for example, by Tony Priday. Throughout his distinguished career he has always been charm itself to his opponents, whilst happily taking top after top away from them!

Finally, what does one do about real cheats – the ones who have illicit signalling methods with their partners and/or devise methods of knowing the hands in advance? The first thing to say is that the burden of proof must be, “beyond all reasonable doubt”. Cheating at cards is as much a social disgrace

today as it was 100 years ago. To brand someone as a cheat without the clearest possible proof is monstrously unjust.

Having said that, proving that somebody has cheated *beyond all reasonable doubt* is very difficult. Which brings us back to why the Code and Regulations have been formulated to take “cheating” out of the game. Nevertheless, when an accusation is made how do we deal with it?

Through a proper judicial process.

The European Bridge League has prescribed a disciplinary code which, we believe, complies with the high standards laid down by the European Convention of Human Rights. The key elements are:

- Making the player(s) fully aware of the accusation and evidence against him
- Prosecuting the case in a professional manner by an Officer of the League charged and empowered with the duty by the League’s Statutes
- Before an independent tribunal which is constituted and authorised under the League’s Statutes.
- In an open, public and timely manner.

I am sure that the majority of Federations have similar disciplinary procedures. But for those which don’t (and so that all NBO’s may consider improving their procedures) I would like to end by pointing out the major pitfall in prosecuting unethical conduct.

Which is that disciplinary tribunals tend to act as prosecutor and judge. That is a terrible mistake. Such a tribunal has no objectivity, loses credibility, and not surprisingly is contrary to the principles of the European Convention of Human Rights.

The right approach – which combines justice with efficiency – is to build on the logic of the Laws of Bridge. A bridge appeal is presented by the Tournament Director (the prosecutor) before the Appeals Committee (the independent tribunal). A bridge disciplinary hearing should be prosecuted by the NBO’s Chief Tournament Director (or somebody with similar expertise), with the backing of the NBO’s financial resources, before a completely independent, expert tribunal.

If we go back 38 years to the WBF hearing of the Reece Shapiro affair one of the things that strikes one is that the accusers were also the prosecutors - and also the judges. The Tournament Directors – the police – were not involved at all. No matter what were the merits of the case it is no wonder the “guilty” verdict did not stick. Indeed it would have been contrary to the European concept of the administration of justice if it had.

Thank you for your attention.

**Bill Pencharz**