

CONGRESS DIRECTOR COURSE
By REG BUSCH

LESSON 4B

Rulings:

Here are my comments on the ruling problems set in Lesson 4A

Problem 1:

N	E	S	W
2♣*	P	2♣!	

*Strong, game forcing.

You are called. How would you rule?

This is one of those situations where you can't really make a sensible decision without taking the offender away from the table, and asking what was in her mind. There are all sorts of possibilities.

1. Did she not see her partner's bid and thought she was making an opening 2♣ bid? This seems extremely unlikely. There can't be too many situations where both partners have a game forcing opening! But, if this was the case, then of course partner is barred.
2. Did she think partner had opened 1♣ and she was responding with 2♣? In this case, the bid is not conventional and can be corrected to 3♣ (with the proviso in Law 27).
3. A likely possibility. Did she mean to write 2♦, but somehow 'echoed' her partner's 2♣ bid by mistake? In this case, there may be a case for inadvertency. I don't believe that we should discount inadvertency because the player has not claimed it. Some players just don't know their rights under Law 25. She may have meant to write 2♦, accidentally wrote 2♣, realised her mistake, and just sat back waiting to take her medicine. If she makes a convincing case that to bid 2♣ was never in her mind, then I would allow inadvertency. This is the rare situation where I may look at her hand before making a ruling, to ensure that it was consistent with her claim. Normally it is bad practice to inspect a player's hand before making a ruling during the bidding, because your decision in itself may convey UI to the other players at the table. But to allow or disallow a claim for inadvertency would not be expected to give any such information.

Problem 2:

At a small country congress recently, I had to rule in this situation. East, the offender, was a novice player not long out of classes.

South dealer, EW vul.

S	W	N	E
1♥	1♠	P	Dbl

I carefully explained the Law, and East changed her bid to 2♥, doubled by South. result: EW +670 for a top board.

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Here were the hands:

	♠10763	
	♥-	
	♦875	
	♣K107632	
♠KJ985		♠Q2
♥7		♥AJ109642
♦K104		♦Q93
♣A984		♣J
	♠A4	
	♥KQ853	
	♦AJ62	
	♣Q5	

How would you rule?

Comment: East, by her infraction, has managed to play in 2♥, which she might have seen as the best possible partnership contract. To bid 2♥ (instead of her illegal double) would almost certainly not allow the partnership to rest in 2♥, as West would have taken this as some sort of cue bid, especially as East was an unpassed hand. But silencing West has allowed East to play in a contract not possible after a legal call. This is not to say that this was East's intention. East was no doubt quite innocent of any evil intentions. But we are considering the effect, not the intention.

Read Laws 23 and 72B1. These are laws which we should always think about when an infraction appears to have advantaged the offenders. We are required to award an adjusted score if the offenders gained an advantage through the irregularity *and the offender could have known, at the time of his irregularity that the irregularity would be likely to damage the non-offending side.*

Benefit for the offending side of course = damage to the non-offenders.

What does 'could have known' mean? The consensus amongst senior directors is that it is a sort of 'code phrase'. You need to know something of the history of the Laws to understand this. Years ago, the director had the right to award an adjusted score in this sort of situation, but the wording of the Law was such that, by so ruling, he was imputing dishonest intentions to the offender. In other words, it was almost an accusation of cheating. Whilst this may have passed muster 30 years ago, these days it would be an invitation to a lawsuit. So, in the last few versions of the Laws, the concept of 'could have known' was introduced. The Director, under this concept, is making a mechanical ruling rather than a judgment of the offender's intentions. What the Law requires us to do is to ignore the particular offending player. Picture a 'generic' bridge player, even one with less than scrupulous ethics. If such a player could have known that his infraction and subsequent barring of partner could benefit his side, then the TD will adjust, regardless of the person actually sitting there. Even if the particular player is famous for his high ethical standards, or even if it was unlikely that the player would have known the relevant Law, we would still adjust.

Let me give you an example of when a player 'could not have known'. South is dealer, but North makes an opening pass out of turn, not accepted. So the bidding reverts to South and North must pass at his first turn. South holds 17HCP, and knowing that North must pass, legitimately punts on 3NT. North hold only 5 HCP, but they are the right ones, and 3NT rolls home, with the rest of the field playing in a partial. NS get a top. No adjustment here. When North passed out of turn, there was no way he could have known that NS would get a good result.

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I had to rule on the above situation at a recent congress. East was a novice, playing in her first congress, and I felt sure she had no idea of the relevant Law or the effects of her infraction. So, against my better judgment, I ruled no adjustment. This I was entitled to do as the Law is written because I was sure she 'did not know'. But I suspect that my decision was contrary to the Law's intention. I submitted this ruling to BLML, which is a world wide tournament directors' discussion group on the Internet. Opinion was divided, but the majority felt I should have adjusted regardless of the offender's novice state. I think that justice was done, but perhaps the Law not properly enforced. The danger in making exceptions is that, when one doesn't make the exception, then there may be implications suggesting a player's dishonest intent.

Problem 3:

The bidding goes (using written bidding):

N	S
1♣	1♥
2♣	2♠

At this stage, South quickly crosses out the 2♠ call and substitutes 3♥. North, holding only a small doubleton in spades, now bids 3NT. This makes. Now, and not until now, you are called. North asks whether he was entitled to act on South's 2♠ bid. Was it authorised information or unauthorised?

Comment:

One's first reaction is to say 'The 2♠ bid was a withdrawn call, and therefore UI'. However, when you make any ruling, you should be prepared to back this up by reading the appropriate law to the player. Where is the appropriate law?

Law 16C covers information from withdrawn calls, and says that a withdrawn call is UI. But Law 16C starts thus: *A call or play may be withdrawn, and another substituted, either by a non-offending side after an opponent's infraction, or by an offending side to rectify an infraction.*

The 2♠ bid was not withdrawn to rectify an infraction, so this should not come within the ambit of 16C. And, if you look at 25B (delayed or purposeful correction), a substituted call may be accepted by LHO and the auction proceeds without penalty. This has effectively been the case here, though nobody bothered to call the TD at this stage.

So I can't find any Law that says that the 2♠ bid is UI, so will have reluctantly rule that it is not UI. I don't like it, but the opponents through their failure to call the TD have contributed to their bad result.

Could one penalize both pairs for failing to call the Director? Look at Law 9. Surprisingly, it doesn't require the Director to be called when an infraction occurs! It requires him to be called only immediately someone draws attention to the infraction. And in this case no one has called attention to any irregularity until the end of the auction.

One could penalize NS for a breach of correct procedure under Law 90. After all, crossing out a bid and replacing it without calling for the Director violates correct procedure. Apart from this, a good lecture to both pairs would be appropriate.