

APPEAL NON-NABC+ FIVE
 Subject: Revoke (Alleged after the round))
 DIC: Doug Grove
 Event: Red Ribbon Pairs
 Session: Second Qualifying, April 6, 2006

(222 MPs)
 Board # 18 ♠ 8 3
 Vul: N/S ♥ Q 7 5 2
 Dlr: East ♦ A Q T 4 3
 ♣ J 8

(855 MPs)	(550 MPs)
♠ 6 2	♠ A K Q T 9 4
♥ A T 6	♥ J 4 3
♦ K J 9 5 2	♦ 7 6
♣ K T 6	♣ 7 3

(250 MPs)
 ♠ J 7 5
 ♥ K 9 8
 ♦ 8
 ♣ A Q 9 5 4 2

West	North	East	South
		1♠	Pass
1NT ¹	Pass	2♠	Pass
3♠	Pass	3NT	All Pass

(1) Forcing

The Facts: A director was not called to the table. The table result was 3NT down one, N/S plus 50 after an opening lead of a small diamond. The director was approached after the game with the allegation that South had not followed suit at trick one. The declarer, who led the ten of spades to trick 2, stated he did so because, if the diamonds were 6-0, the spades may break badly. He wanted to insure five spade tricks. At trick 3, South led a club, which gave declarer his 8th trick.

N/S did not respond to a post-session page but were found the morning of the first final session on Friday. N/S did not have a good recollection of the play. South believe she followed suit but was unable to offer any proof.

The Ruling: Given the timing of the discussions with each pair, the facts are in dispute (law 85). It was decided that there was not sufficient proof of a revoke to adjust the scores. In accordance with law 64 C (restoration of equity), had sufficient evidence of a revoke been presented to convince the director that a revoke had occurred, there would have been an adjustment to equity of 3NT making three, N/S minus 400.

The Appeal: West, Declarer, said that he never would have played the ten of spades at trick two had there been no revoke. He was asked for his assessment of his contract. He said he did not give it much thought. When asked if he thought he had to get a plus score to get any matchpoints, he said a plus is always better than a minus. He hoped to be able to endplay North twice to compensate for the spade trick he may be giving up.

The Decision: After an incorrect N/S pair was interviewed, the correct opponent was found. The correct South readily acknowledged her revoke. Law 64 B 5 states, "The penalty for an established revoke does not apply if attention was first drawn to the revoke after the round has ended." Law 64 C requires the director to restore equity from either a revoke for which there is no penalty or when the penalty for a revoke does not sufficiently compensate the non-offending side.

The panel, having discovered that there was a revoke, was required to determine equity, since the revoke did not cause any damage directly.

With the knowledge that South was void in diamonds, not one of the four players consulted took the safety play. All felt it would be nearly impossible to take nine tricks without the spade suit providing six tricks. Based upon peer advice, the panel decided that the play to trick two had no causal connection to the revoke and, therefore, to any damage from the revoke.

The table result of 3NT down one, N/S +50 was allowed to stand. The appeal was deemed to have merit as the panel changed the basis for the decision.

The Panel: Charlie MacCracken (Reviewer), Harry Falk and Bernie Gorkin.

Players consulted: Four players with maasterpoint holdings similar to West's.

Commentary:

Gerard Duh, declarer led the ten of spades to trick two, how was there not a revoke?

Polisner I disagree. Declarer was placed in a situation no other declarer was in and chose what might be considered an inferior, but not egregious play. Remember, this was matchpoints and even down two may tie or beat the pairs in 4♠. If spades are 4-1 offside, this declarer would likely be four down thus making the safety play reasonable. As such, equity would give E/W + 400.

Rigal Given the messy facts, and the problem establishing them, I like the panel's decision. The causal link between the revoke and the line of play followed is so slim that they came to a correct result – and indeed no AWMW is appropriate.

Wildavsky The poll is not necessary to determine a causal connection between the revoke and the line chosen. It ought to be clear to everyone, as it was to the declarer, that 6-0 diamonds make 3-3 spades much less likely than they were a priori, and therefore that the ♠J is much less likely to drop. Did declarer give the hand best play? That's not relevant – he took a line that he never would have taken if not for the revoke, and that line was made more attractive by what was in effect misinformation. How many tricks were likely had there been no revoke? Nine. Is there any other number of tricks that declarer would score often? No. So adjust to EW +400, as the tournament director said he would have had he had the evidence available to the panel.

Wolff

If South really did revoke (and, according to the facts related, there is little doubt that she did), some serious thought might go to overriding the stated law. It seems the main reason for the revoke law and its time limit is to make sure there was a revoke and since too often (after some time) the cards get mixed, it is too hard to prove anything (especially with inexperienced players).

In this particular case, any player who safety plays the hand for down one when there is an easy make available, probably does not deserve revoke protection and certainly not special consideration.

This case however can serve as a segue into a recent BIT case and reminds me of Edgar's rulebook which states, in effect "there must be an unmistakable hesitation...." before a hesitation can be ruled, although we all know there are many other ways to convey UI.

The committee in determining the infamous Segal & Kay-Wolff case used Edgar's quote against the appellants since Kay-Wolff claimed there was a hesitation and a gesture by her left hand opponent after her one spade opening bid. Segal (her partner) was writing out the score slips and testified that she was not paying attention and didn't see or hear anything. The two opponents denied any gesture or hesitation. The table director, when called and without looking at the opponents' hands, said that since the count was two to one against any untoward disruption, he is ruling there was no BIT. The committee backed the director's decision, in spite of what many later expert panelists thought was overwhelming evidence within the opponents' hands that suggested that some improper behavior must have occurred.

The committee, in addition to finding in favor of the opponents, also gave the appellants an AWMW warning which is issued when the appellants do not produce any new evidence at the hearing. While the committee probably had the right to rule against the appellants, it seems totally in contradiction, not to mention illegal, for them to also penalize them with an AWMW.

Trying to sum up, bridge laws as well as tournament directors and ACs must include some common sense otherwise the process will, at times, resemble Moses and his flock roaming around in the desert, rather than making straight-on significant progress in developing our bridge jurisprudence in a consistent way.