

SABF APPEAL PROCEDURE

1. Preamble

An offending player "should be ready to pay graciously any penalty or adjusted score awarded by the Tournament Director". Indeed, the manner in which the player receives a decision favourable to an opponent is the mark of the stature of the player.

However, no Tournament Director is so bold as to say that his/her every ruling is infallible, and therefore it is right that Law 92 should provide for any ruling to be subject to review upon appeal.

The procedure is for the Tournament Director in Charge to rule upon any question that is purely one of Law or Regulation. The decision may be appealed to the Appeals Committee (or Referee), who may not overrule the Director on such a question but may seek to persuade him/her; if not persuaded, but the Appeals Committee retains a different view, the matter may be referred at a later time to the Laws and Ethics Committee for a definitive ruling.

Note that players have an absolute right of appeal provided that they inform the Director of their wish to appeal before the expiry of the Correction Period (see Law 97C and 92). An Appeals Committee, appointed by the sponsoring organisation, or by a Referee acting as a Committee of One, may deal with an appeal.

2. Appeals Committee Procedure

The Appeals Committee (Referee) will decide, and may overrule the Director, upon:

(a) A question of fact.

The Committee should give full weight to the value of the immediate experience of the Director of the attitudes, atmosphere, and nuances of manner at the table.

(b) Any question of value judgment in the application of the Laws to the circumstances of a particular hand.

The Appeals Committee should not intervene in the application by the Tournament Director of his/her disciplinary powers (i.e. his/her control of the behavioural standards of the players, as distinct from any procedural penalty associated with the hand under appeal).

The following may be broadly advised for the procedure where an Appeals Committee or Referee is on site (reference to 'committee' should be taken to include a Referee as a committee of one).

Meet with the Committee with both sides present. The meeting should proceed in the following manner:

(a) As a preliminary, the Chairman of the Panel should introduce everyone present, and specify which pair is appealing. No member of the Committee should have participated in the matter at an earlier stage.

- (b) The Chairman should first assure all concerned that they will all get a chance to speak - and that it would be appreciated if no one interrupted the person speaking (this includes the committee members).
- (c) The Director should speak first in the following manner:
 "I was called to the table by..... to consider a situation involving.....
 The following facts were related to me I ruled"
- (d) The Chairman should now ask any questions he may have of the Director. Other committee members may then question the Director.
- (e) The Chairman should inquire of the appealing parties if they have anything to add to the Director's statements. He should also ascertain why they think the ruling should be changed. It is important that the players as far as possible as given by the Director should agree the facts.
- (f) The other side should now be heard. If they have nothing to add, the Chairman may sometimes ask for any other statements from kibitzers, additional testimony from the Director, from the appealing parties, etc. if they seem relevant and helpful. Kibitzer's statements are not to be relied upon unless clearly unbiased.
- (g) When there is no more testimony to be heard, the Chairman should excuse all parties from the deliberations (including the Director, unless he has been requested to remain). The Director should be available to assist and advise the Committee during its deliberations, but should not participate unless requested. The committee should now deliberate and reach a decision concerning the situation.
- (h) When a decision has been reached, all parties, including the Director, should hear the result. (If the Director cannot be present, he/she should make sure the Chairman has agreed to transmit the result to the Director for scoring). If it inconvenient to have all the parties together, there is a clear requirement to communicate the decision(s) to each person. A pair (or team) is considered to have been informed if one of its members is given the details; it is strongly to be desired that this should be the Captain of a team.
- (i) Once the decision is made, allow no more discussion about the situation. The time for discussion and dispute is now past. Any dissatisfied player who is tempted to harangue a committee member, or descend to abuse, should be reminded promptly that such a breach of conduct is subject to penalty in the current competition or to disciplinary review at a higher level.
- (j) Remember to make sure the scoring adjustments are duly notified to the scorer.

The Appeals Committee (or Referee) is unconditionally bound by the Laws of the game (as interpreted by the National authority) and by the rulings, regulations and precedents authorised by the National Authority (the ABF).

During the hearing of an appeal it is not appropriate for a member of the Appeals Committee to express opinions in front of the players or to enter into debate with them. He/she may ask questions and explore facts.

Courteous and sympathetic treatment of those in attendance at hearings of appeals, both players and officials, is a crucial requirement. No Appeal Committee or Referee should ever allow its procedure to become overheated, or appear to criticise the appeal, the appellants, respondents, or Directors, in terms, which may cause offence to the individuals concerned.

The Director in Charge may attend an Appeal and should be heard if he/she wishes to speak.

The Captain of a team whose pair is present may attend and be heard.

It is at the discretion of the Chairman of the Appeal whether he/she allows an observer to attend, but an observer should have no connection with the appellants or the respondents.

The above procedure may be circumvented, for the sake of timing, by the due completion by all parties to the Appeal of the attached SABF Appeals Form. This is not to say that any party may not be heard if they so wish during the deliberation of the appeal by the Appeals Panel. It is incumbent upon the Chairman of the Appeals Panel that any clarifications to the paperwork provided are available prior to deliberation of the appeal.

The Chairman of the Appeals Panel should always be mindful that natural justice should apply to all parties to an appeal.

3. SABF Appeals Committee Standing Orders

1. Appeals should be heard in private at the most appropriate time bearing in mind that all parties to the appeal should be given the opportunity to complete the form and speak to the appeal if they so wish.
2. The Chairman of Appeals for the event, or his/her delegate, shall determine the composition of the Appeals Committee from amongst the nominated panel.
3. The Committee and the Tournament Director shall attend; the four players concerned (and their team captains in team events) shall be invited to attend.
4. Copies of the hand and the bidding shall be available.
5. All present shall be seated.
6. The Tournament Director shall be asked to state the facts and his/her ruling.
7. All present shall be given an opportunity to obtain any desired clarification of the statement by the Tournament Director.
8. The Appellants shall be allowed to state their case. The other side shall then have the right to speak. The Chairman will not allow interruptions.
9. Each side shall be permitted to respond to the arguments of the other.
10. Committee members may then ask such questions as they wish.

11. Players and Captains will withdraw, and the Committee will deliberate. Its decisions will be notified to one player of each side, being the team Captain in a team event (or such other team member as he/she shall nominate).

Members of the Appeals Committee must recognise that accepting a position on the Committee involves them in a judicial role. This requires that Committee decisions be published to the players via the Chairman of the Appeals Committee and that Committee members then refrain from **individual comment or debate** upon the matter adjudicated. A member, who is unable to contain the urge to make public his/her personal views, or to enter into subsequent debate on the issue, is not appropriately qualified for the task.

The Tournament Director who is called upon to recite the facts and state his/her ruling to an Appeals Committee should indicate any inferences as to facts as may have been relevant to his/her ruling.

He/she should make it plain to the Committee if he/she had induced an Appeal, in the belief that it would be right that a Committee review his/her ruling, and the appeal should not therefore be considered frivolous. (Even when the Director has done nothing to encourage an appeal, most appeals are **not** frivolous - but a proportion of them may be deemed so).

Directors and Appeals Chairmen should note that what the Director should **not** offer to the Committee is

his/her opinion on any matter of bridge judgment. This is specifically a matter for the Appeals Committee.

The Director should confine himself/herself to the facts, the ruling, and any recital of law or regulation for which he/she may be asked.

The Appeals Committee have the authority to invoke a fine of up to 3VPs if they deem that any appeal is "without merit". The size of a fine is to be conveyed to the appealing pair at the conclusion of the appeal hearing. Fines of this nature are to be deducted at the end of the event.