

Scottish Championship 2019 Investigation Panel (IP) Report

CHESS SCOTLAND



Introduction

Please note that the earlier part of this report (not included) details the background and history to the issue. The IP performed an extensive audit trail to uncover why confusion exists in CS members' understanding of the Eligibility rules for both international selection and award of the title of Scottish Champion. They identify a number of communication failings and offer suggestions how these can be corrected in the future. They also ask questions that should be addressed in future revision or rewriting of the Eligibility rule.

Main elements of Summary, Conclusions and Suggestions

Panel conclusion on arbiter decision

The arbiters acted in good faith on their genuine belief that the Scotland code (SCO) now conferred all rights which therefore meant that Matthew Turner was eligible for the title. The Panel can only go by the documented evidence of information which has been written up in minutes and official CS documents. We cannot see why the Muir/Neave amendment, the publication of the document on FIDE IDs or the BICC decision from several years previously would be of sufficient consequence to explain a change in status from the 2016 Championship when GM Matthew Turner was ruled ineligible. In particular, we can see no documented confirmation that the Scottish Championship eligibility rules Section A had been revoked. If that is not revoked then Section A should have been amended and should have been applied to Championship rules.

The Panel are sympathetic to the logical position indicated by the arbiters that the holder of a SCO code has all Championship and International rights but GM Matthew Turner status was known to be different to other players and without a ruling specific to that player the SCO inherits all rights has to be modified with the Section A requirements on residence.

The Panel does not wish to express a view on exactly how the issue should be resolved. There is the longstanding sporting principle that the referee's decision is final, but it may be judged that the decision was not correct and requires an adjusted result. It should also be noted that there were other players involved some of whom had consulted the arbiters and asked if GM Matthew Turner was eligible for the Scottish title and modified their play based on that information.

Panel views on shortcomings and possible improvements

The Panel appreciate that within a largely volunteer organisation the ability to carry out the vast array of required tasks is difficult for the small team at the head of the organisation. There will be occasions on which the administration will inevitably fail.

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- 1) **Minutes:** The Panel suggest that the format of how minutes of meetings have been compiled in recent years may have contributed to possible misinterpretations [*in the eligibility rules*]. In particular the Muir/Neave amendment had the following introductory sentence in the minutes, “Chess Scotland Champion must be SCO registered,” rather than a restatement of the wording of the actual motion or a statement of what the new wording would be after the new motion was passed.
- 2) **Rules:** The Rules presentation on the website must be improved. It cannot possibly be correct that a section badged as “Scottish Championship Entry Rules” can be left blank for three years. This is a significant failure to impart information properly to players. If that section had been “revoked” that link could have been tagged with that word prior to any further restatement of the rules.
- 3) **Entry forms:** The Championship entry form should replicate any relevant information from the website rules section or clearly indicate any modifications. During our investigation we have found several instances where the website published rules have not been consistent with those published in the Championship entry form – particularly on this issue on the required number of years to fulfil residency. Players shouldn’t have to delve so deeply to find the conditions under which the event is being run or which version of the rules is being applied.
- 4) **On site information:** Experienced players at the 2019 Championship were confused over the eligibility status of one of the leading contenders.
 - Was wallchart information on display of sufficient clarity?The Panel suggest on-site tournament information must be completely clear and the arbiters should seek to anticipate any issues likely to be in doubt and help players by automatically providing the information and not waiting to be asked by personal individual contact. In view of GM Matthew Turner’s previous participation as a player classed as ineligible was it not even considered that a change in eligibility status since his last appearance in the event should have been worthy of some level of express publicity on that adjusted status.
- 5) **Eligibility Rules:** The subject of eligibility has meant various people have invested a considerable time over the years in coming up with an acceptable list of provisions. The Panel also applied themselves to the issue and thought the board or members at an AGM might wish to clarify exactly what benefits apply to the Scotland code.

Can we have a definitive ruling on does a “SCO” code automatically confer all rights to Championship titles and international representation for as long as the person is badged as SCO – if it doesn’t then should it? Apart from the particular status of GM Matthew Turner-is it not the case that every current holder of the SCO listing is fully eligible for Scotland titles and international representation? If that is

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the case then is there any need for the first three items in section A Scottish Championship rules on eligibility? This was the point made by the arbiters.

- 6) **Residency checking:** The Section A eligibility rules which had been published on entry forms had a residency criteria of one year immediately before the Championship took place as a means by which a player could claim eligibility (as mentioned the website rules confusingly said two years while that page was still online, which suggests it had never been updated despite the 2010 Championship decision). Did this long-term rule mean that organisers were meant to check on residency status of players? Was that checking extended to players who already held a SCO code if that was acquired wholly on a period of residency? Had Championship organisers ever carried out such a check? How would the organisers know which players to check since there are no records retained on exactly how a player initially acquired the SCO code? This point was mentioned by the arbiters as a further reason to change the existing rules to SCO holders have all rights due to the impossibility of being able to put into practice such a provision to check on residency. Residency is checked at the time of initial allocation of the code, it is not monitored after that time. The method of checking is initially to see if there is a recent two-year playing record. If no two-year record then the player is asked on what basis they claim eligibility - we take player word and do not require documentary proof like passports, council tax notices etc. The right is reserved to make further checks prior to initial code allocation but has never been carried out. Transfers from another federation to SCO require the documentation indicated here <https://ratings.fide.com/fedchange.phtml>

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