

# NEC Complaints and Disciplinary Sub-Committee Report

January 2023

# 1 Contents

2	Disciplinary Panels .....	2
3	Independent Review Board.....	7
4	Exclusion Panels.....	8
5	Terminations .....	9
6	National Constitutional Committee .....	10
7	Independent Complaints Board .....	11

## 2 Disciplinary Panels

- 4.1. In the final quarter of 2022, panels of the National Executive Committee (**NEC Panels**) considered 46 cases investigated under Chapter 6, Clause I of the Labour Party Rule Book. This is 6 more cases than were considered in the previous quarter (40).
- 4.2. In 2022, NEC Panels considered 475 cases in total. This is 138 more cases than were considered in the previous year (337).
- 4.3. The first quarter of 2022 saw a significant number of cases considered by NEC Panels, due to the conclusion of the backlog project. September 2022 saw no cases considered due to the Labour Party's Annual Conference.

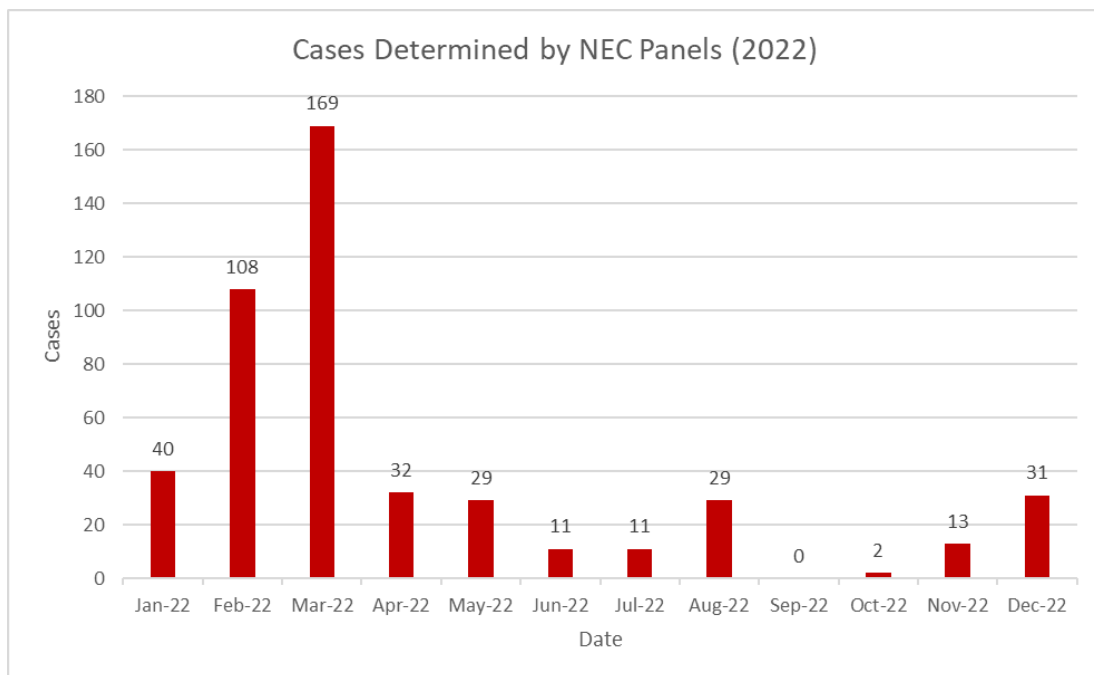


Figure 1: Cases determined by NEC Panels in 2022.

## The Labour Party

### Case Categories

- 4.4. Most cases considered during the last quarter of 2022 involved allegations of antisemitism, which accounted for 43.48% of all cases. This is a slight decrease of 4.02% compared to the previous quarter, in which 47.5% of all cases involved allegations of antisemitism.
- 4.5. 17.39% involved allegations of general misconduct, an increase of 9.89% on the previous quarter, which saw only 4.02% of cases involving allegations of misconduct. The reason for this increase was due to a number of Councillors joining a multi-party arrangement without the approval of the NEC.
- 4.6. 6.52% of cases involved allegations of sexual harassment, an increase of 6.52% over the previous quarter, in which no sexual harassment cases were considered.
- 4.7. 4.35% of cases involved allegations of bullying, harassment or intimidation, a decrease of 3.15% on the previous quarter in which 7.5% of the cases involved bullying and harassment. Sexism and Homophobia also accounted for another 4.35% of cases each. Anti-Black Racism, Online Abuse, Transphobia, anti-GRT Racism and misuse of data accounted for 2.17% of cases each.

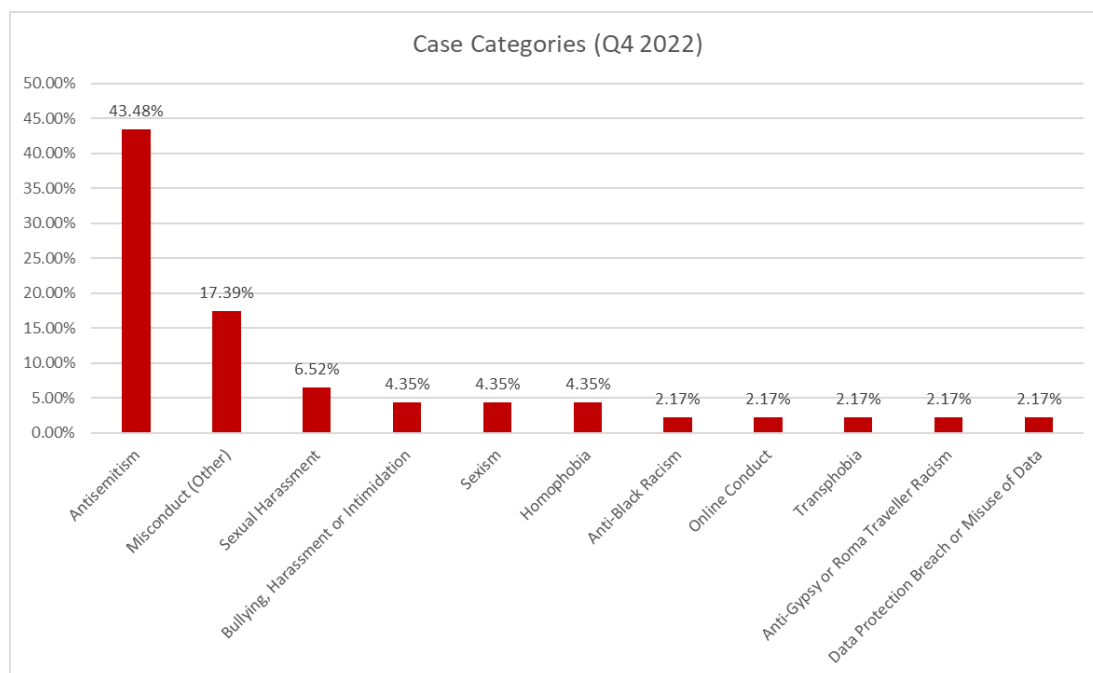


Figure 2: Types of case determined by NEC Panels in Q4 2022.

## The Labour Party

4.8. The vast majority, almost 70%, of cases in 2022 involved allegations of antisemitism. 5.68% involved online abuse or misconduct. 4.63% involved bullying, harassment or intimidation. 4.42% involved other forms of misconduct. 2.95% involved Anti-Black Racism. 2.32% involved Islamophobia. 1.68% involved Sexism. 1.47% involved Sexual Harassment. 1.26% involved Homophobia. 1.05% involved Transphobia. 1.05% involved data protection issues. 0.63% involved disability discrimination. 0.42% involved Anti-Asian Racism. 0.42% involved Xenophobia. 0.21% involved safeguarding allegations. And 0.21% involved anti-GRT racism.

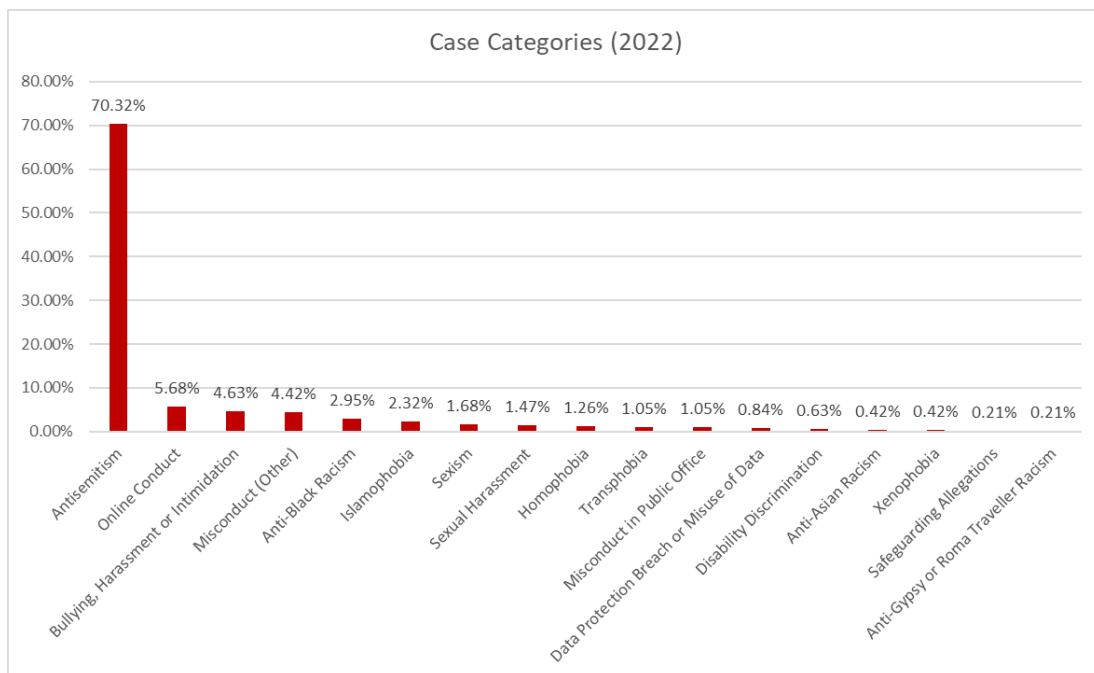


Figure 3: Types of case determined by NEC Panels in 2022.

## The Labour Party

### Case Outcomes

- 4.9. During the last quarter of 2022, 41.3% members were expelled, suspended, had the whip withdrawn, or were referred to the NCC or ICB, an increase of 3.8% from 37.5% in the previous quarter.
- 4.10. 32.61% received a formal warning or a reminder of conduct, a decrease of 9.89% from 42.5% in the previous quarter.
- 4.11. 26.09% received a reminder of values or no further action, an increase of 6.09% from 20% in the previous quarter.

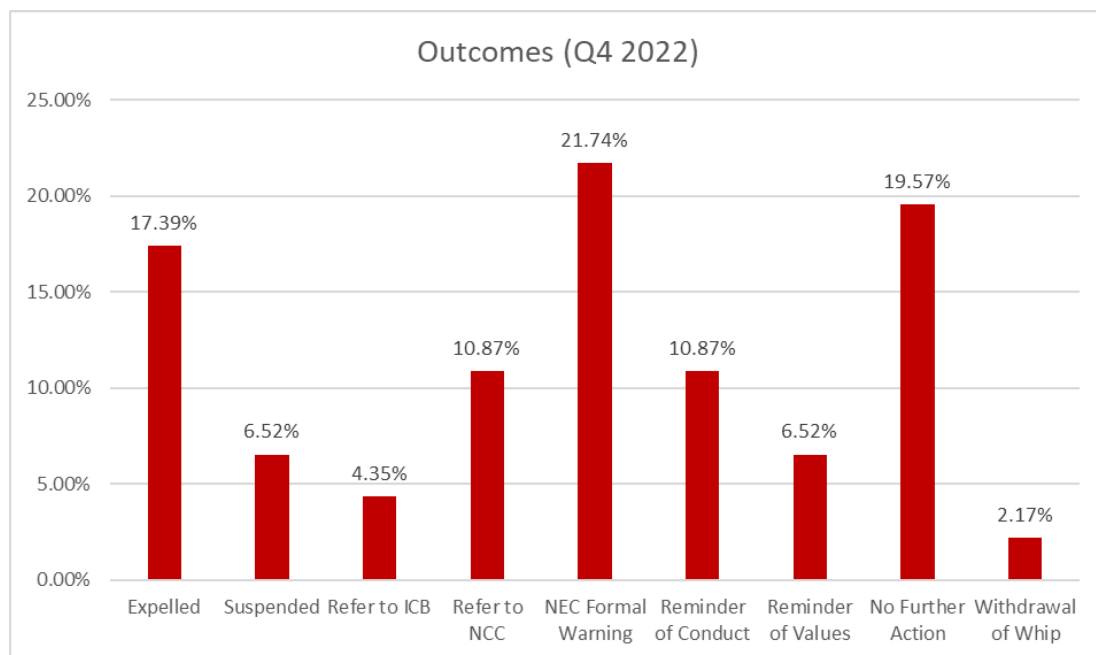


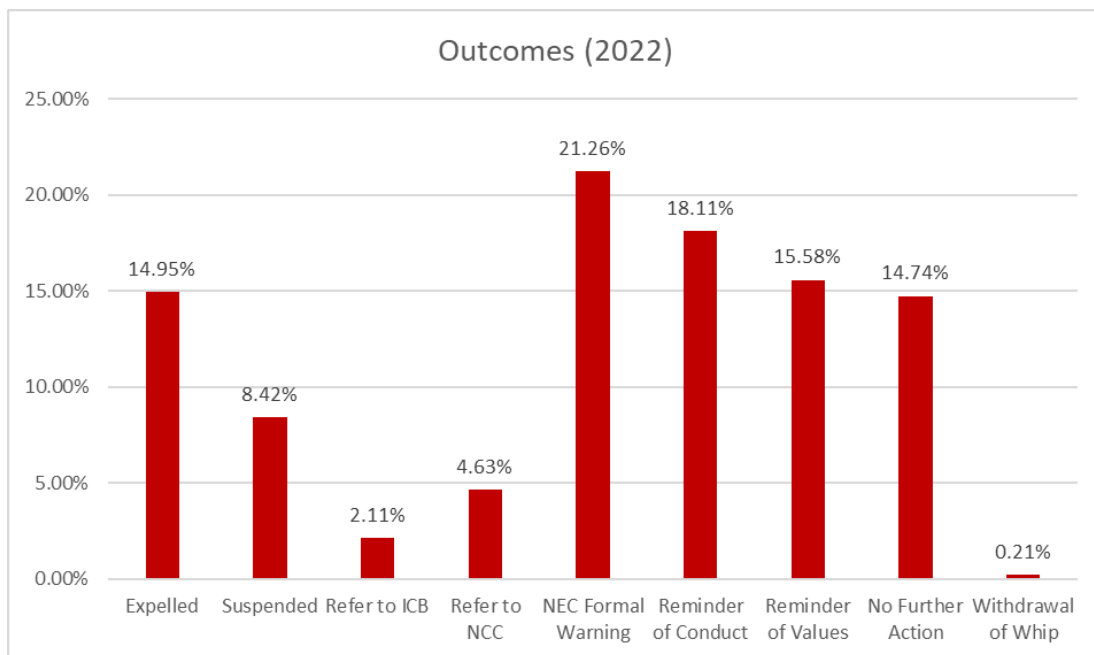
Figure 4: Outcomes of cases determined by NEC Panels in Q4 2022.

## The Labour Party

4.12. During 2022, 30.316% members were expelled, suspended, had the whip withdrawn, or were referred to the NCC or ICB, an increase of 0.939% from 29.377% in the previous year.

4.13. 39.368% received a formal warning or a reminder of conduct, a decrease of 4.252% from 43.620% in the previous year.

4.14. 30.316% received a reminder of values or no further action, an increase of 3.313% from 27.003% in the previous year.



*Figure 5: Outcomes of cases determined by NEC Panels in 2022.*

### 3 Independent Review Board

- 5.1. In the last quarter of 2022, 31 cases were verified by the Independent Review Board (**IRB**), and 1 case was vetoed. This is compared to 27 cases verified and 2 cases vetoed in the previous quarter.
- 5.2. The reason given for the veto was that the IRB reviewer and the investigation report considered that the conduct of the member had contravened the codes of conduct of the Labour Party, whereas the NEC Panel had concluded that it had not. This will be remitted accordingly to a fresh NEC panel for adjudication.
- 5.3. In 2022, 116 cases were verified by the IRB and 4 cases were vetoed. 3 of the cases that were vetoed by the IRB have been determined by a fresh panel and subsequently verified.

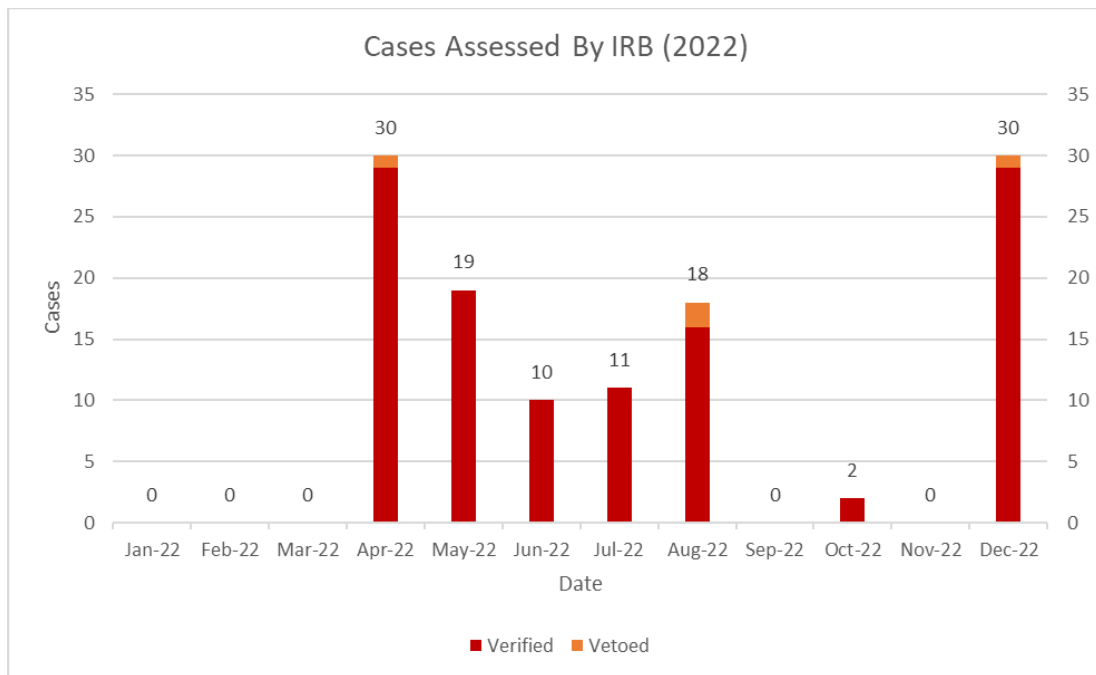


Figure 6: Cases reviewed by the Independent Review Board 2022.



## 4 Exclusion Panels

- 6.1. In the final quarter of 2022, NEC Panels considered 41 cases that had been investigated under Chapter 2, Clause I.5 of the Labour Party Rule Book. This is a decrease of 31 cases from 73 in the previous quarter.
- 6.2. Of these 41 cases, 33 allegations were upheld and the member was excluded; 2 allegations were upheld, but the NEC exercised its discretionary powers under Chapter 2, Clauses I.7.B and C of the Labour Party Rule Book to suspend the member, rather than expel them; and in 6 cases, the allegations were not upheld.
- 6.3. In 2022, 331 cases were considered in total. This is an increase of 245 from 86 in the previous year.
- 6.4. Of these 331 cases, 300 allegations were upheld and the member was excluded; 1 allegations was upheld, but the NEC exercised its discretionary powers under Chapter 2, Clause I.7.B of the Labour Party Rule Book to immediately reinstate the member; 2 allegations were upheld, but the NEC exercised its discretionary powers under Chapter 2, Clauses I.7.B and C of the Labour Party Rule Book to suspend the member, rather than expel them; and 28 allegations were not upheld.

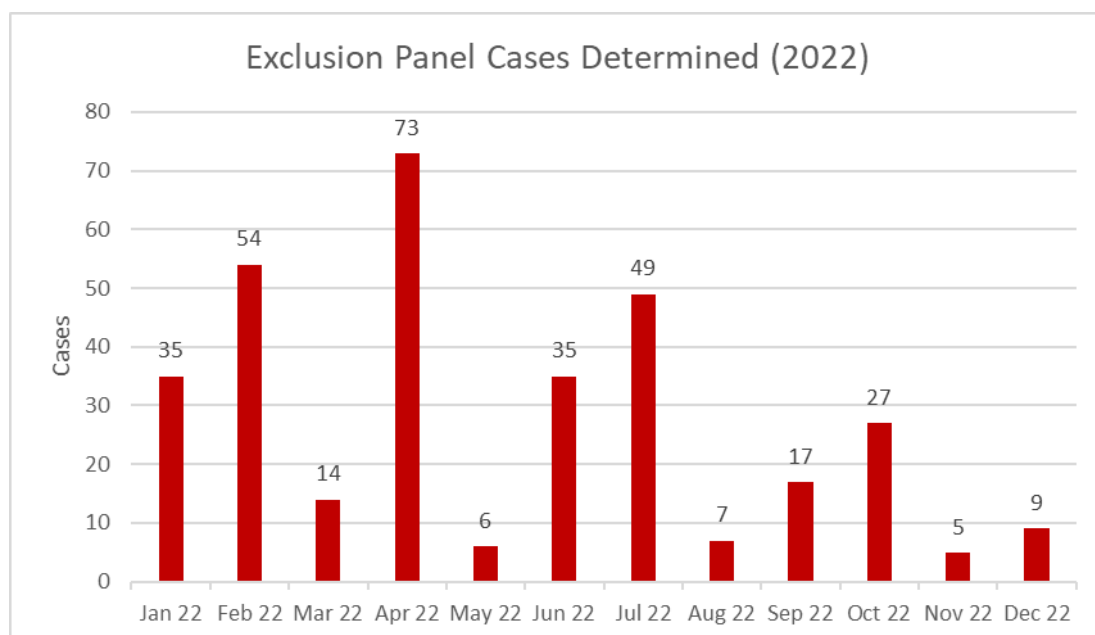


Figure 7: Cases determined by NEC exclusion panels in 2022.

## 5 Terminations

- 7.1. In the final quarter of 2022, 2 members had their memberships terminated pursuant to Chapter 2, Clause I.4 of the Labour Party Rule Book. This was a decrease of 16 from 18 in the pre quarter.
- 7.2. Of these 2 members, one was terminated for standing against the Labour Party in elections and the other was terminated for signing the nomination papers of candidates standing against the Labour Party.
- 7.3. In 2022, a total of 105 members had their memberships terminated, an increase of 103 from 2 in the previous year when the termination rules were introduced.
- 7.4. Of these 105 members, 31 were terminated for standing against the Labour Party in elections, 69 were terminated for signing the nomination papers of candidates standing against the Labour Party, and 5 were terminated for publicly declaring their intent to stand against the Labour Party in elections.

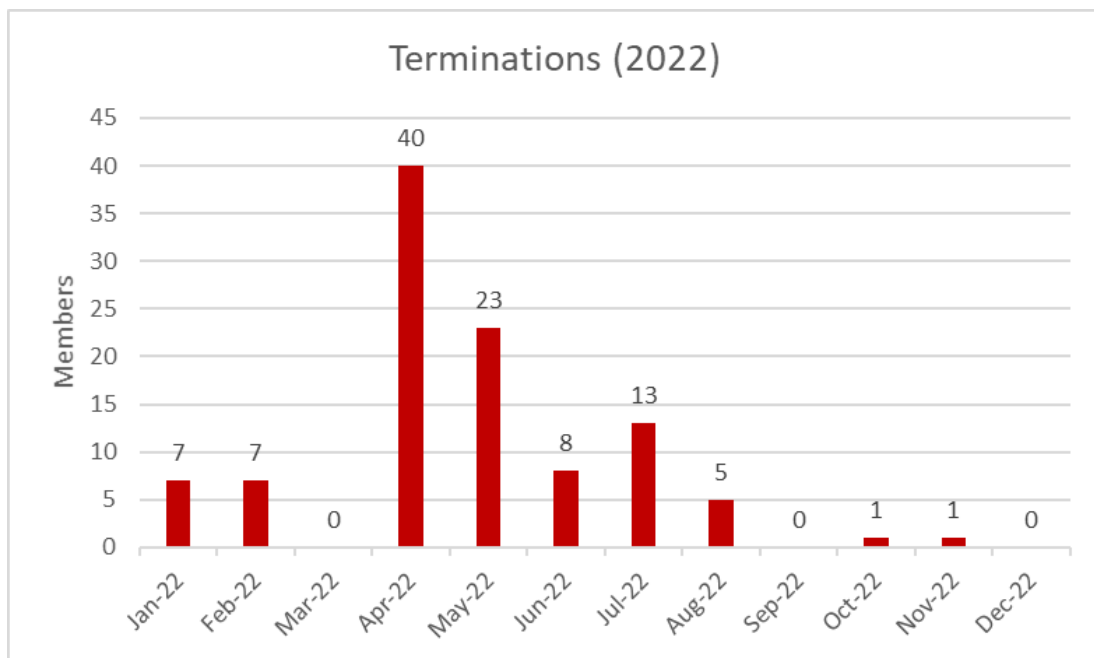


Figure 8: Membership terminations in 2022.

## 6 National Constitutional Committee

- 8.1. In the final quarter of 2022, no cases were finally determined by the National Constitutional Committee, this is a decrease of 3 from 3 cases in the previous quarter. Staff are working with the new Chair and Vice-Chair of the NCC to conduct a review of all outstanding cases, and regular case management meetings are now scheduled between this group of individuals.
- 8.2. In 2022, 8 cases were determined by the National Constitutional Committee. This is a decrease of 3 from 11 cases in the previous year.
- 8.3. Of these cases, 3 individuals were expelled, 4 members were suspended for a period of one year, and 1 member was reinstated after taking into consideration the number of years they had been suspended as 'time spent'.

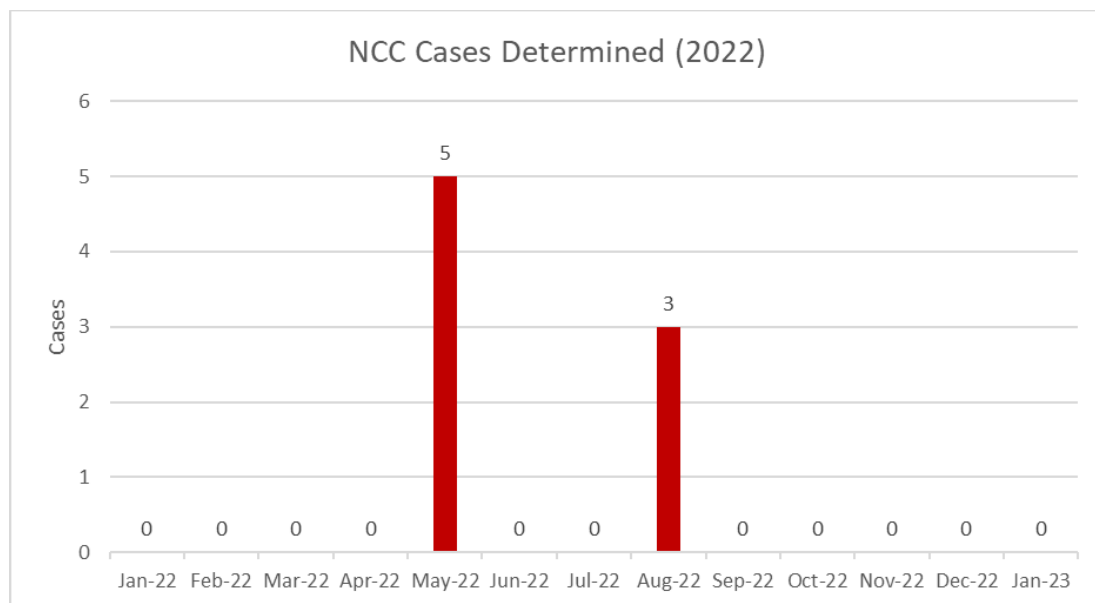


Figure 9: NCC cases determined in 2022

## **7 Independent Complaints Board**

- 9.1. Since becoming fully operational, the Independent Complaints Board determined its first case in July 2022.
  
- 9.2. As of the date of this report, the Independent Complaints Board considered 6 cases. 1 member resigned before their hearing. Of these cases, 4 cases involved allegations of sexual harassment, 1 case involved allegations of anti-Black racism and sexism, 1 case involved allegations of anti-Asian racism, and 1 case involved allegations of antisemitism.
  
- 9.3. Of these 6 cases, 2 individuals were expelled, 2 members were given formal warnings, 1 member was suspended for 18 months, and no further action was taken in 1 case.