

# NEC Complaints and Disciplinary Sub-Committee Report

July 2023

# 1 Contents

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

## 2 Disciplinary Panels

2.1. In the first two quarters of 2023, panels of the National Executive Committee (NEC Panels) have considered 75 cases investigated under Chapter 6, Clause I of the Labour Party Rule Book.

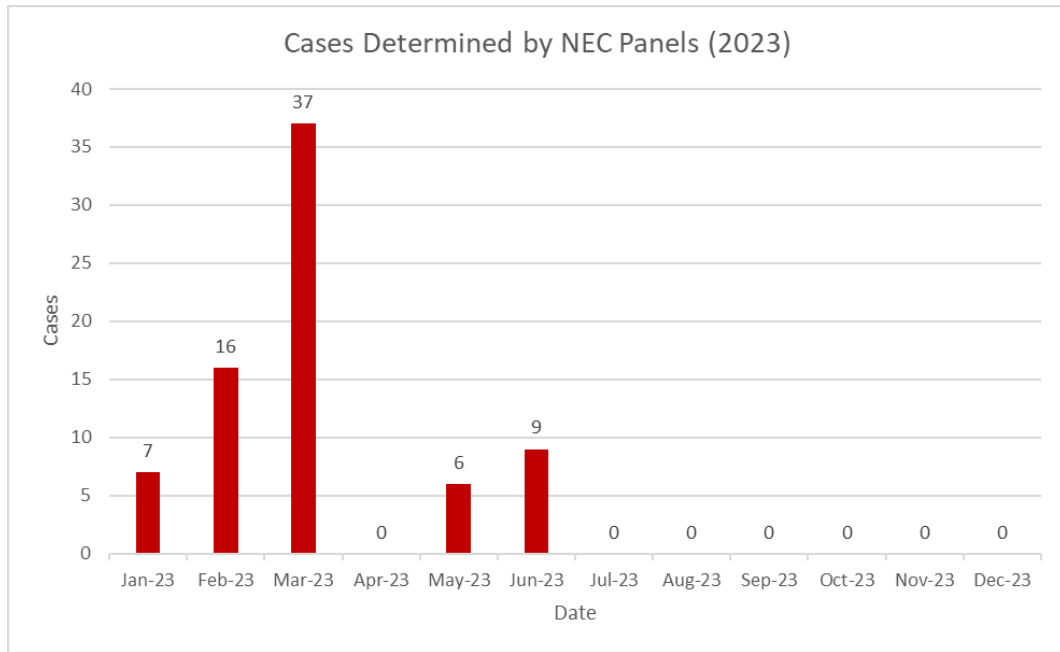


Figure 1: Cases determined by NEC Panels to date in 2023.

## The Labour Party

### Case Categories

- 2.2. The figures below show the proportion of the total number of cases that allegations of each category are found in. For example, if there was only one case, and that case involved an allegation of Antisemitism and an allegation of Islamophobia, then the figures for both Antisemitism and Islamophobia would be 100%.
- 2.3. Most cases considered during the first two quarters of 2023 involved allegations of antisemitism, which accounted for 40% of all cases.
- 2.4. 18.67% of cases involved allegations of bullying, harassment or intimidation; 9.33% involved allegations of Homophobia; 8% involved allegations of general misconduct; 6.67% involved allegations of sexual harassment; 6.67% involved allegations of sexism; 5.33% involved allegations of anti-black racism; 4% involved allegations of other forms of racism; 4% involved allegations of misconduct online; 2.67% involved allegations of transphobia; 1.33% involved allegations of islamophobia, victimisation, data and procedural matters.

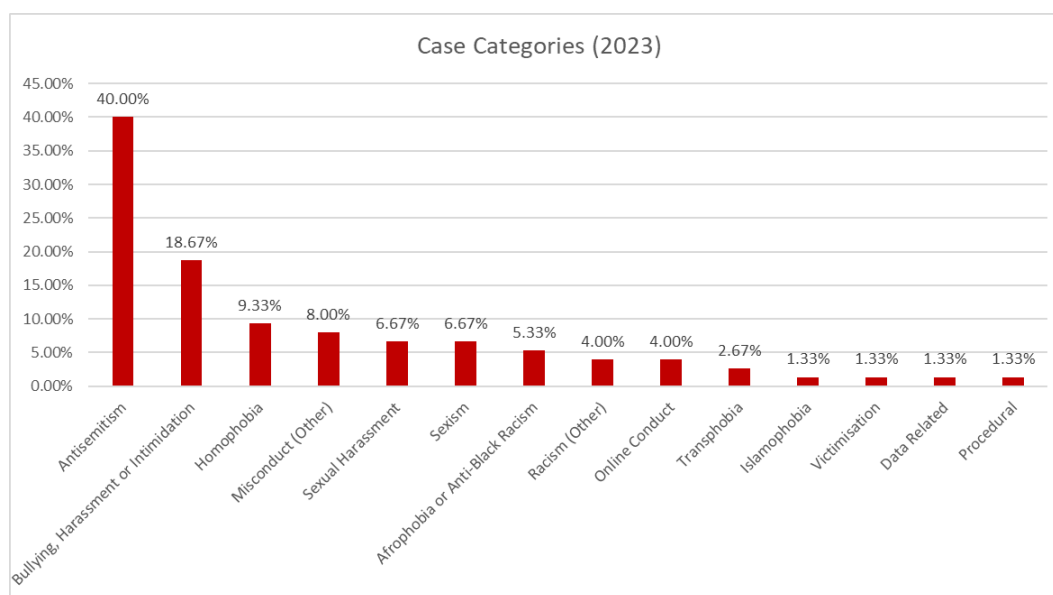
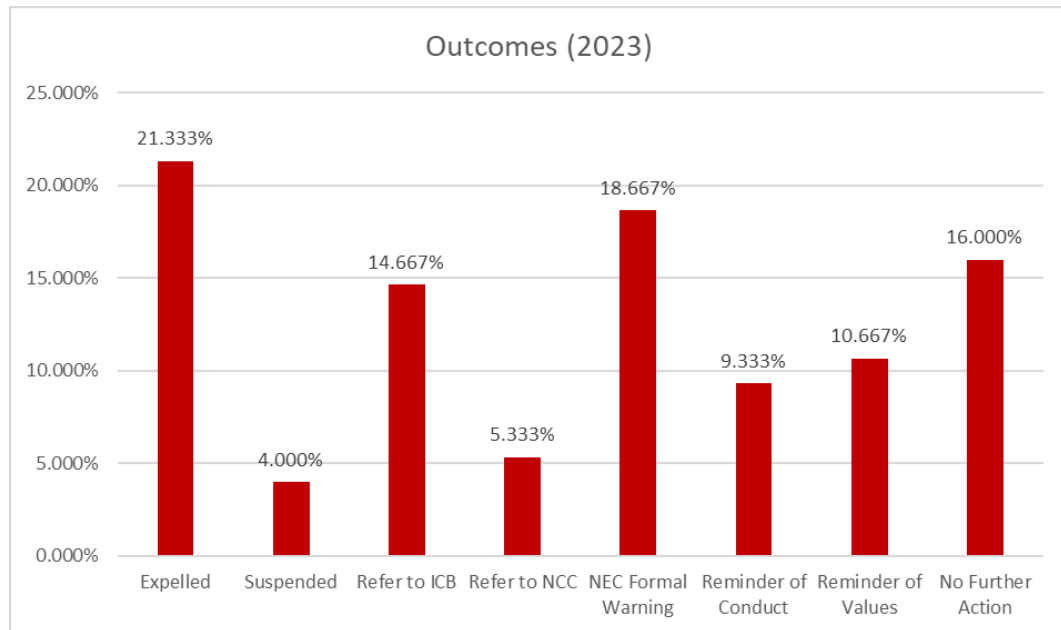


Figure 2: Types of case determined by NEC Panels in January to June 2023.

## The Labour Party

### Case Outcomes

- 2.5. During the first two quarters of 2023, 45.33% of cases resulted in expulsion, suspension, or a referral to the Independent Complaints Board. 28% of cases resulted in a formal warning or a reminder of conduct. 26.67% of cases resulted in a reminder of values or no further action.



*Figure 3: Outcomes of cases determined by NEC Panels in January to June 2023.*

### 3 Independent Review Board

- 3.1. In the first two quarters of 2023, 54 cases were verified by the Independent Review Board (IRB) and 1 case was vetoed.
- 3.2. The reason given for the veto was that the NEC panel was not clear enough as to why it did not consider that a case demonstrated hostility or prejudice based on the protected characteristic in question. This case was subsequently determined by a new NEC panel and the decision of that NEC panel was subsequently verified.

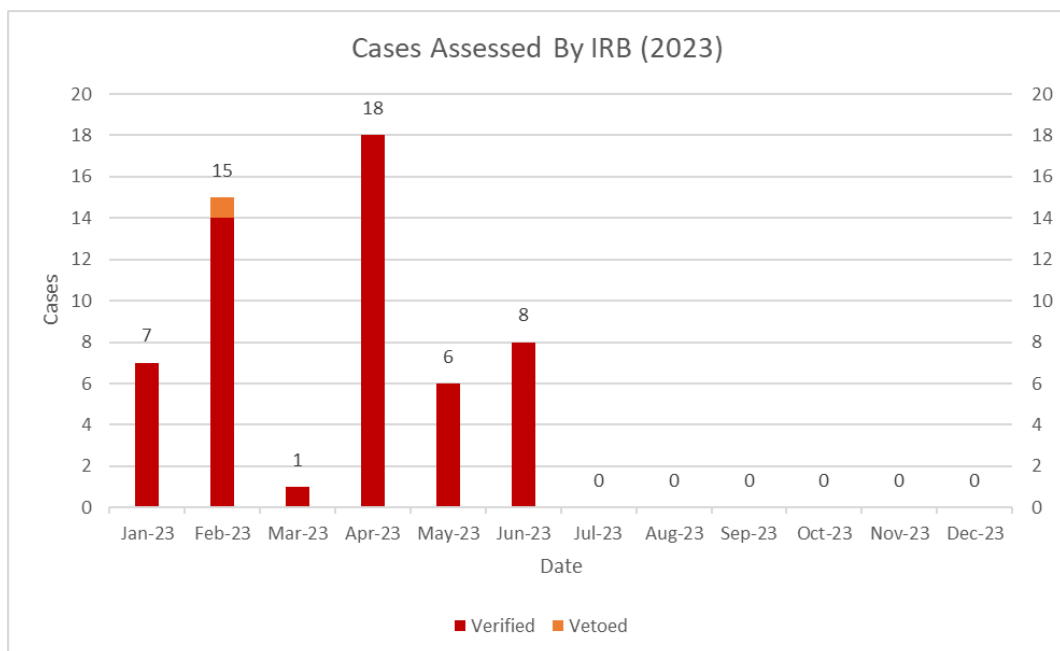


Figure 4: Cases reviewed by the Independent Review Board January to June 2023.

## 4 Exclusion Panels

- 4.1. In the first two quarters of 2023, NEC Panels considered 92 cases that had been investigated under Chapter 2, Clause I.5 of the Labour Party Rule Book.
- 4.2. Of these 92 cases, 70 allegations were upheld and the member was excluded; 3 allegations were upheld, but the NEC exercised its discretionary powers under Chapter 2, Clause I.7.B and C to suspend the member, rather than expel them; 2 allegations were upheld, but the NEC exercised its discretionary powers under Chapter 2, Clause I.7.B to reinstate the member immediately; and in 17 cases the allegations were not upheld (meaning the individual remains a member of the Labour Party).
- 4.3. Of these 92 cases, 81 involved an alleged breach of Chapter 2, Clause I.5.b.v (Support for an inimical organisation), 7 involved an alleged breach of Chapter 2.1.5.B.viii (Serious criminal offence), 2 involved an alleged breach of Chapter 2, Clause I.5.B.vii (Harassment or intimidation of staff), 1 involved an alleged breach of Chapter 2, Clause I.5.B.iv (Joining a local authority group other than the official Labour Group), and 1 involved an alleged breach of Chapter 2, Clause I.5.B.x (substantiated safeguarding concern).

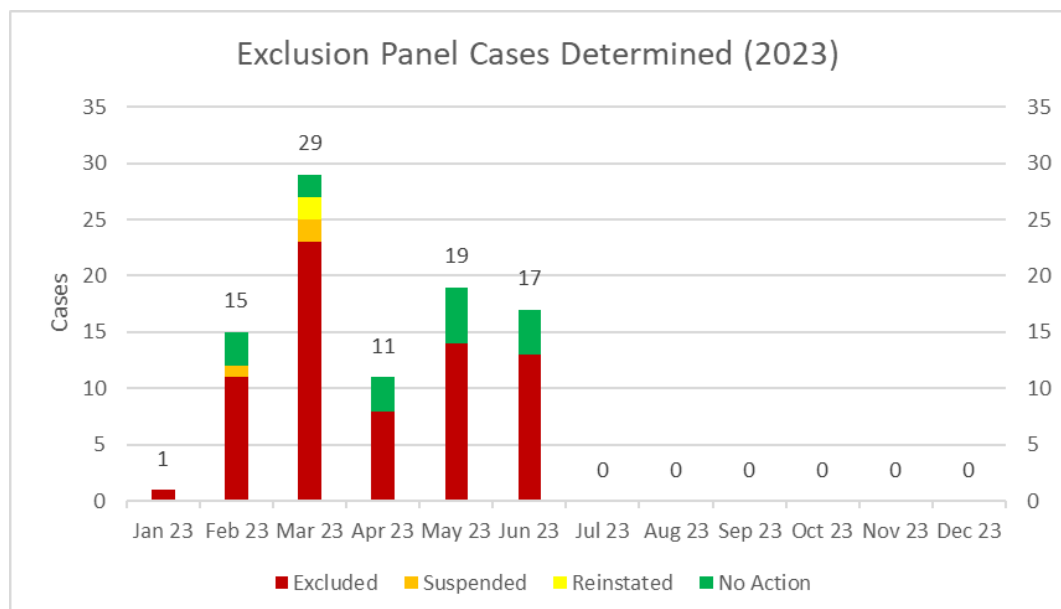


Figure 5: Cases determined by NEC exclusion panels in January to June 2023.

## 5 Terminations

- 5.1. In the first two quarters of 2023, 21 members had their memberships terminated pursuant to Chapter 2, Clause I.4 of the Labour Party Rule Book.
- 5.2. Of these 21 members, the membership rights of 12 individuals were terminated for standing against the Labour Party in elections; the membership rights of 3 individuals were terminated for publicly declaring their intention to stand in an election against the Labour Party; and the membership rights of 6 individuals were terminated for signing the nomination papers of candidates standing against the Labour Party.

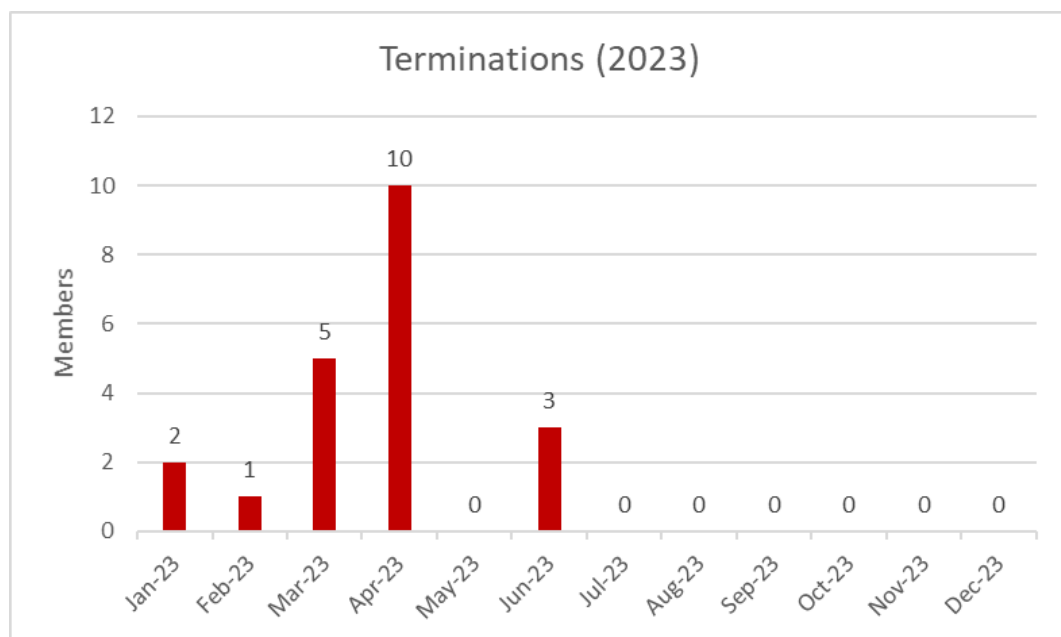


Figure 6: Membership terminations in January to June 2023.



## 6 Disciplinary Appeals

- 6.1. The Party has continued to work to review and determine disciplinary appeals submitted to the Party, all in accordance with the Party's rules.
- 6.2. By June 2023, appeal correspondence in respect of 69 cases disciplinary appeals was reviewed and assessed and, where relevant, determined. All appeal correspondence was assessed against the requirements set out in the Party's rules. In respect of 62 cases, it was found that the correspondence in question contained: (i) no valid ground of appeal pursuant to Chapter 2, Clause 1.6 of the Labour Party Rule Book; or (ii) no arguments in support of a ground of appeal which had any realistic prospect of success. Consequently, those cases cannot be considered by the National Constitutional Committee and the individuals concerned were notified of this outcome. Their membership of the Party remains terminated.
- 6.3. In respect of 7 cases that were assessed to constitute a permissible appeal according to the Rules, these were considered by a panel of the National Constitutional Committee. In 7 cases, the National Constitutional Committee rejected the appeal, and their membership of the Party remains terminated.
- 6.4. Of the 7 appeals considered by the National Constitutional Committee: 6 were appeals against a termination pursuant to Chapter 2, Clause 1.5 of the Labour Party Rule Book; and 1 was an appeal against a termination made pursuant to Chapter 2, Clause 1.4 of the Labour Party Rule Book.

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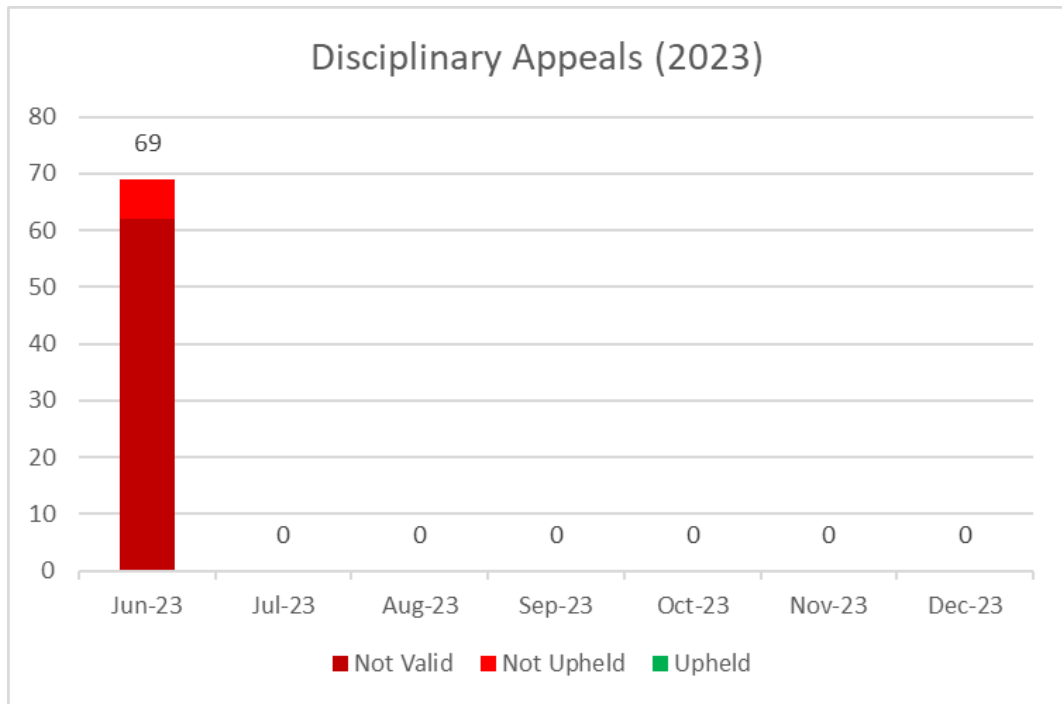


Figure 7: Disciplinary Appeals (June 2023)

## 7 National Constitutional Committee

- 7.1. In the first two quarters of 2023, 16 cases were determined by hearings of the National Constitutional Committee. 7 members resigned before a hearing, 5 of which were in response to receipt of a bundle from the NCC Secretary.
- 7.2. Of these cases, 4 individuals were expelled, 3 individuals were suspended, 4 individuals received a formal warning, 3 individuals received a reminder of conduct, and in 2 cases, the charges were not upheld or it was found there was no case to answer.
- 7.3. There are currently 13 cases awaiting a hearing. Of these, 7 individuals have been served with their bundles and are awaiting a hearing, and the paperwork for the other 6 cases are being prepared by staff.
- 7.4. In March 2023, we reported that 13 cases had been heard and 2 members had left in February 2023. One of these cases is now reported as having concluded in March 2023, as this case was awaiting a plea in mitigation before the sanction was determined in March 2023.

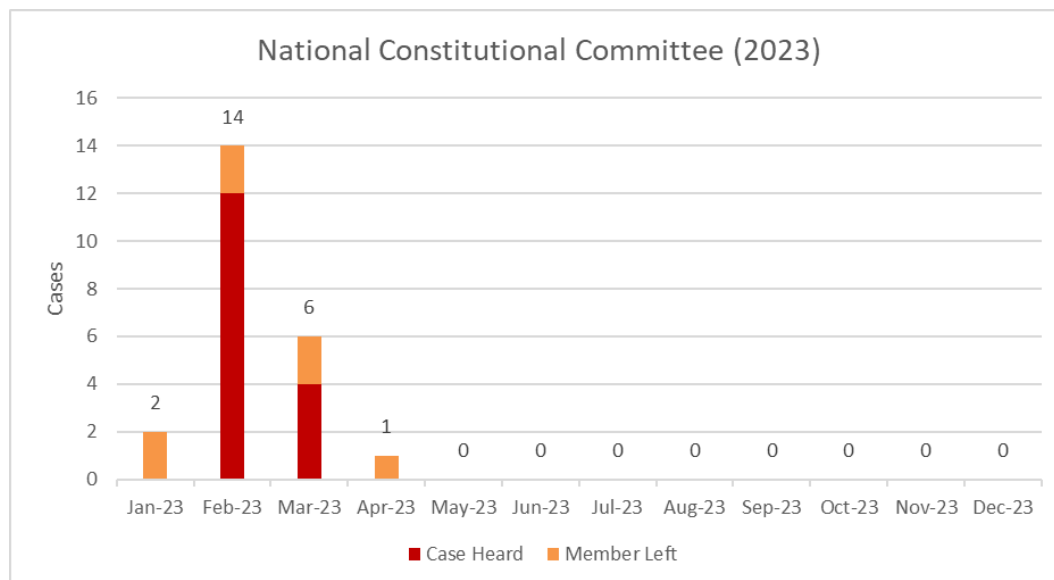


Figure 8: NCC cases determined in January to June 2023

## 8 Independent Complaints Board

- 8.1. In the first two quarters of 2023, 10 cases have been determined by the Independent Complaints Board. A further 4 cases have concluded because the member resigned or lapsed. Of the 4 members that resigned or lapsed, 2 resigned after receiving the bundle from the Board Secretary.
- 8.2. Of the 10 cases that have concluded, 7 individuals have been expelled, 2 individuals have been suspended for 12 months and 18 months respectively, and in one case, the allegations were not upheld against that individual.
- 8.3. There are 14 cases remaining, 6 cases of which were previously referred to the National Constitutional Committee but have since been referred on to the Independent Complaints Board, in line with the rules of the Labour Party Rule Book. Of these 14 cases, 4 individuals have been served with their bundles and are awaiting a hearing, and the paperwork for the remaining 10 cases are being prepared by Labour Party staff.

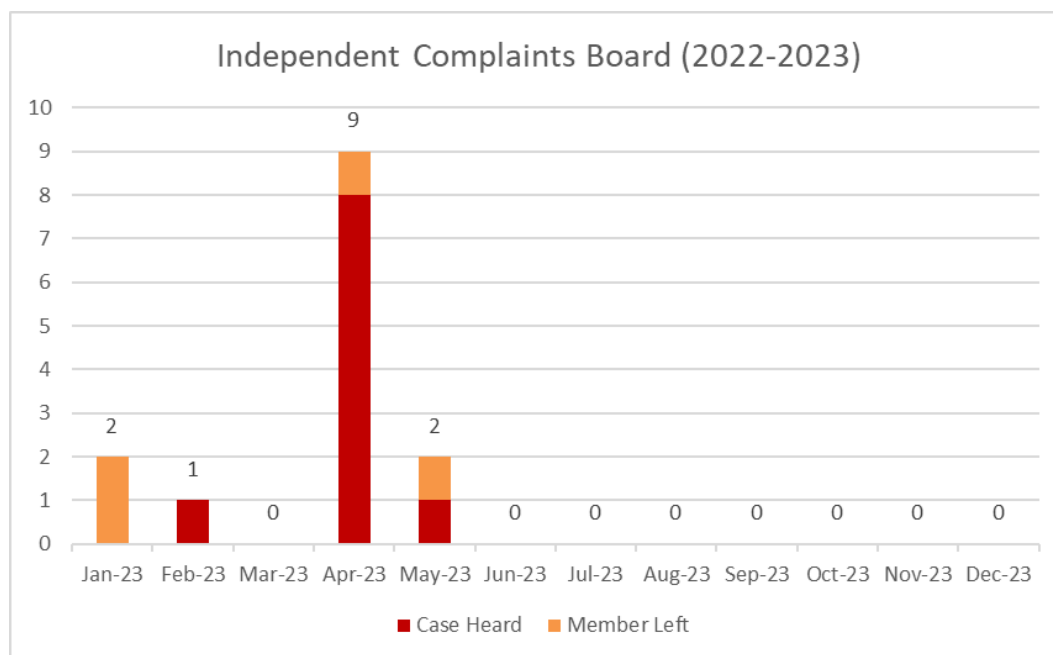


Figure 9: Independent Review Board January to June 2023