

NEC Complaints and Disciplinary Sub-Committee Report

November 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. Between January and October 2023, panels of the National Executive Committee (**NEC Panels**) have considered 103 cases investigated under Chapter 6, Clause I of the Labour Party Rule Book.

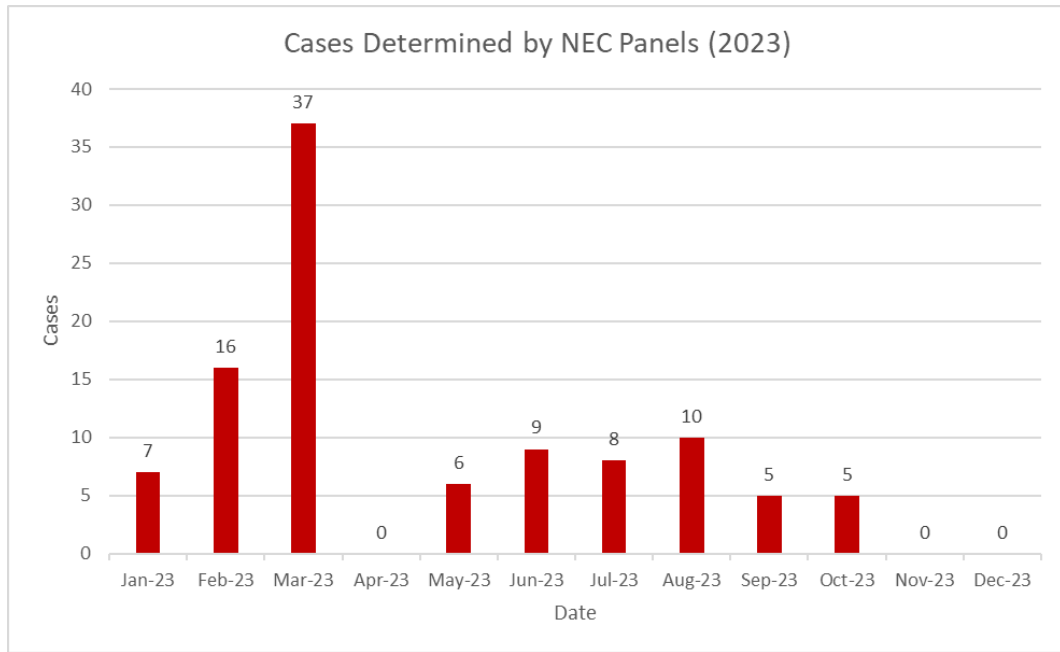


Figure 1: Cases determined by NEC Panels to date in 2023.

The Labour Party

Case Categories

- 2.2. Most cases considered between January and October 2023 involved allegations of antisemitism, which accounted for almost 36% of all cases.
- 2.3. 16.5% of cases involved allegations of bullying, harassment or intimidation; 11.65% involved allegations of misconduct; 9.71% involved allegations of homophobia; 5.83% involved allegations of sexual harassment; 5.83% involved allegations of sexism; 3.88% involved allegations of anti-Black racism; 2.91% involved allegations of other kinds of racism; 2.91% involved allegations of transphobia; and 0.97% involved allegations of ableism.
- 2.4. These figures 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%.

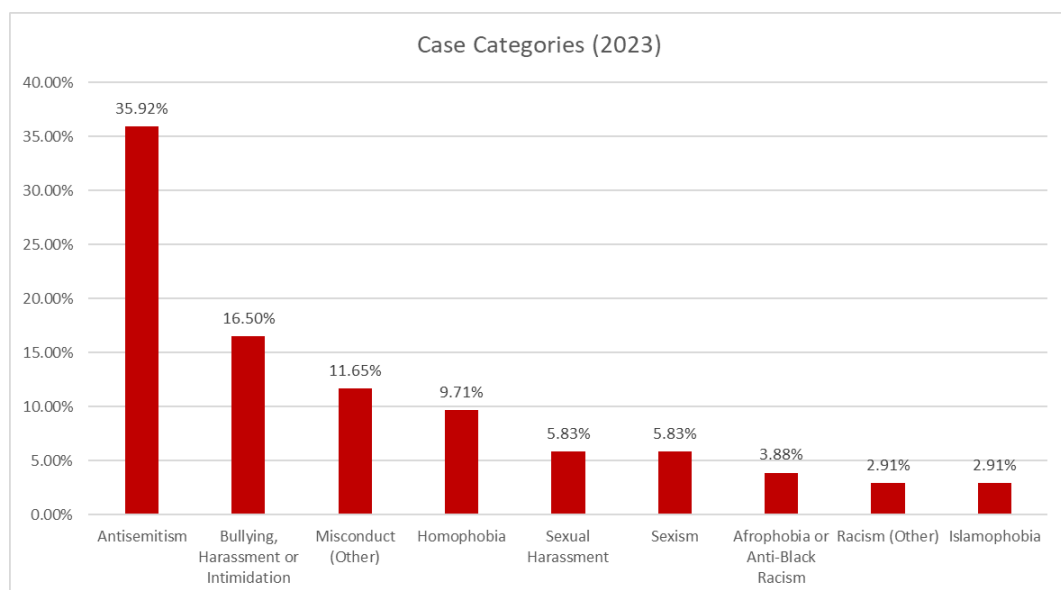


Figure 2: Types of case determined by NEC Panels in January to October 2023.

The Labour Party

Case Outcomes

- 2.5. Between January and October 2023, 42.718%% of cases resulted in expulsion, suspension, or a referral to the Independent Complaints Board or National Constitutional Committee. 31.068% of cases resulted in a formal warning or a reminder of conduct. 26.214% of cases resulted in a reminder of values or no further action.

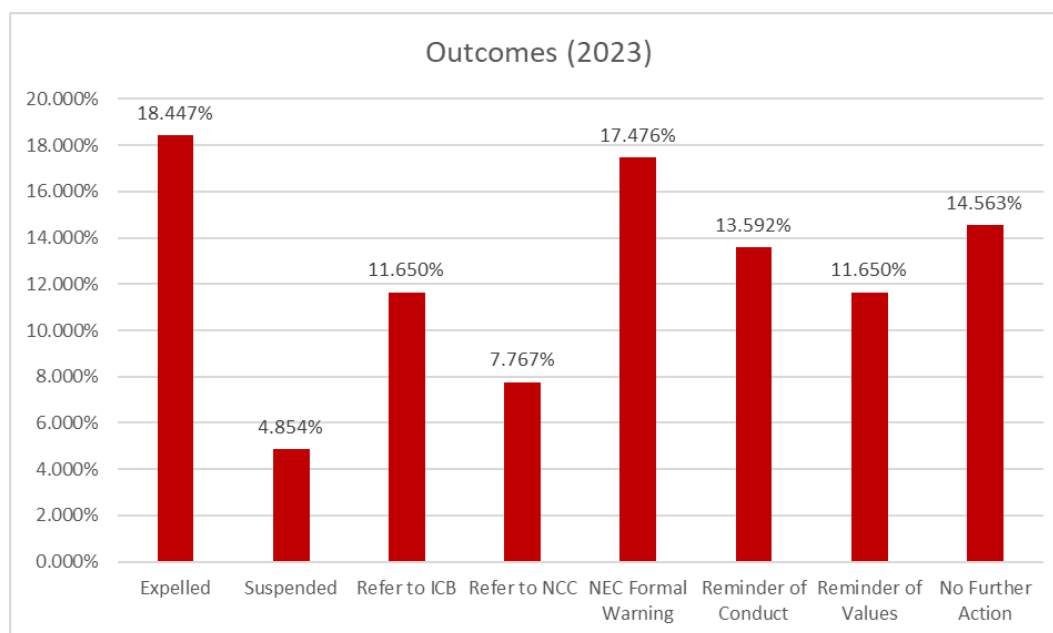


Figure 3: Outcomes of cases determined by NEC Panels in January to October 2023.

3 Independent Review Board

- 3.1. Between January and October 2023, 72 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 different NEC panel and the decision of that NEC panel was subsequently verified.

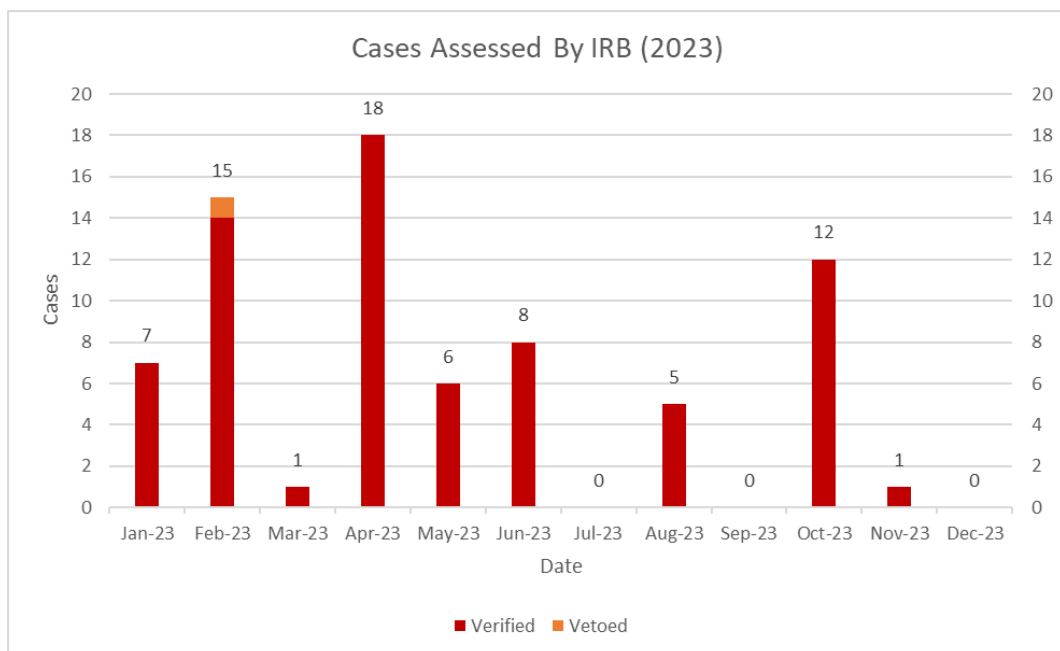


Figure 4: Cases reviewed by the Independent Review Board January to November 2023.

4 Exclusion Panels

- 4.1. Between January and October 2023, NEC Panels considered 128 cases that had been investigated under Chapter 2, Clause I.5 of the Labour Party Rule Book.
- 4.2. Of these 128 cases, 101 allegations were upheld and the member was excluded; 3 allegations were upheld, but the NEC exercised its discretionary powers under Chapter 2, Clauses I.7.B and C to suspend the members concerned, rather than expel them; 3 allegations were upheld, but the NEC exercised its discretionary powers under Chapter 2, Clause I.7.B to reinstate the member immediately; and in 21 cases, the allegations were not upheld (meaning the individual remains a member of the Labour Party).
- 4.3. Of these 128 cases, 114 involved an alleged breach of Chapter 2, Clause I.5.B.v (Support for an inimical organisation), 8 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), 2 involved an alleged breach of Chapter 2, Clause I.5.B.iv (Joining a local authority group other than the official Labour Group), 1 involved an alleged breach of Chapter 2, Clause I.5.B.x (substantiated safeguarding concern), and 1 involved an alleged breach of Chapter 2, Clause I.5.B.i (membership of another registered political party).

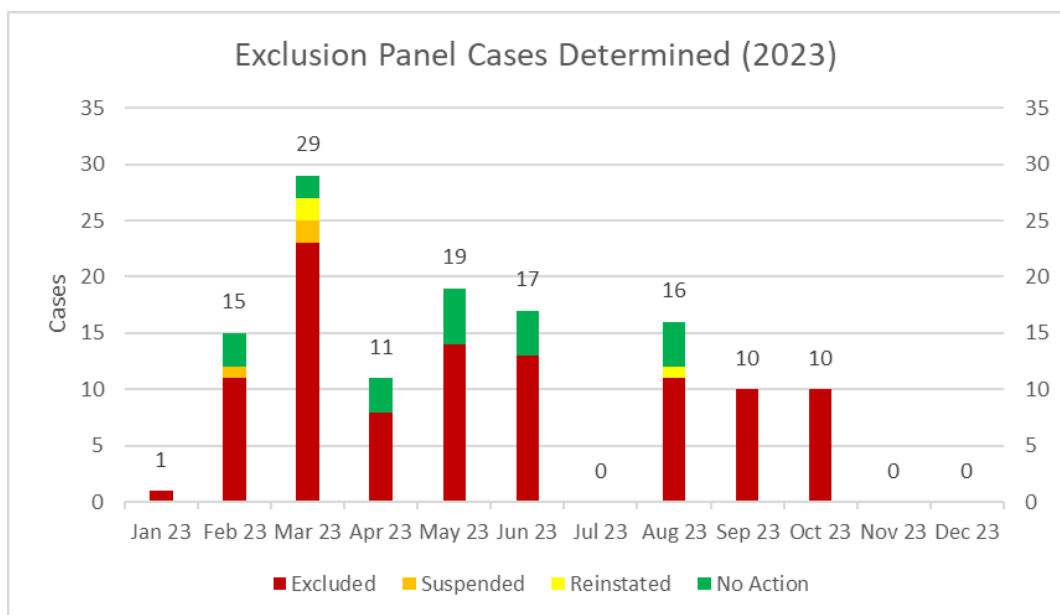


Figure 5: Cases determined by NEC exclusion panels in January to October 2023.

5 Terminations

- 5.1. Between January and October 2023, 31 members had their memberships terminated pursuant to Chapter 2, Clause I.4 of the Labour Party Rule Book.
- 5.2. Of these 31 members, the membership rights of 17 individuals were terminated for standing against the Labour Party in elections; the membership rights of 7 individuals were terminated for publicly declaring their intention to stand in an election against the Labour Party; and the membership rights of 7 individuals were terminated for signing the nomination papers of candidates standing against the Labour Party.

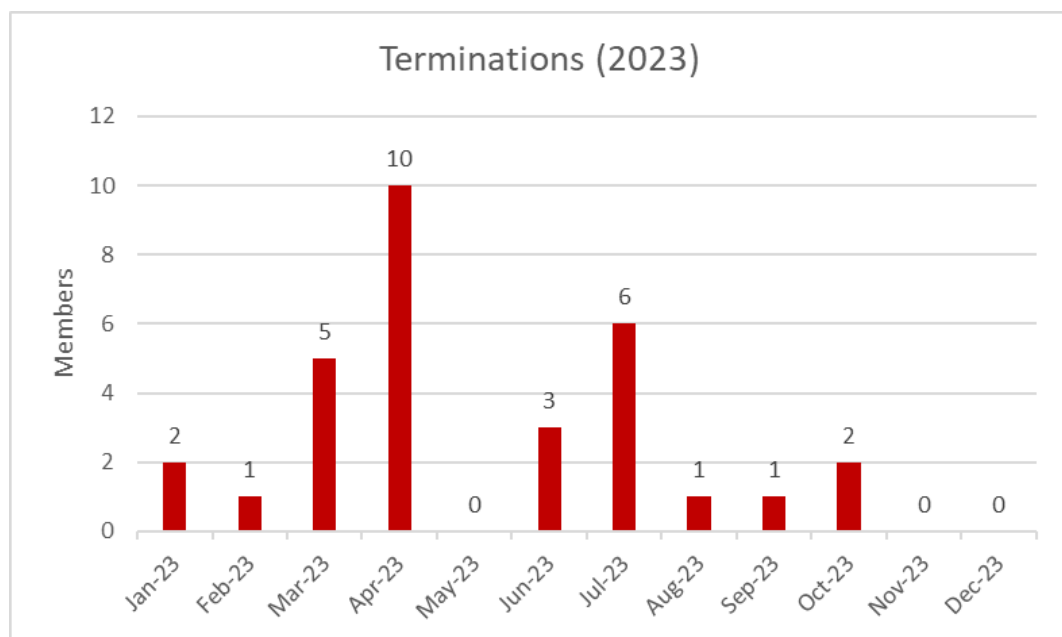


Figure 6: Membership terminations in January to October 2023.

6 Disciplinary Appeals

- 6.1. The Labour Party continues to work to review and determine disciplinary appeals submitted in accordance with its rules.
- 6.2. By November 2023, appeal correspondence in respect of 95 cases has been reviewed and assessed and, where relevant, determined. All appeal correspondence continues to be assessed against the requirements set out in the Labour Party's rules, and to ensure that the correspondence in question contains either: (i) a valid ground of appeal pursuant to Chapter 2, Clause 1.6 of the Labour Party Rule Book; or (ii) arguments in support of a ground of appeal which have any realistic prospect of success. Where they do not, then consistent with the requirements of the Labour Party Rule Book, such cases cannot be considered by the National Constitutional Committee. In any such case, the individuals concerned are notified of this outcome and reminded that their membership rights remain terminated.
- 6.3. In respect of 33 cases that were assessed to constitute a permissible appeal according to the Labour Party Rule Book, these were considered by a panel of the National Constitutional Committee.
- 6.4. In 31 cases, the National Constitutional Committee rejected those appeals, and the membership rights of the individuals concerned remain terminated. In 2 cases, the National Constitutional Committee upheld those appeals, meaning the membership rights of the individuals concerned are reinstated.
- 6.5. Of the 33 appeals considered by the National Constitutional Committee: 29 were appeals against a termination pursuant to Chapter 2, Clause 1.5 of the Labour Party Rule Book; and 4 were appeals against a termination pursuant to Chapter 2, Clause 1.4 of the Labour Party Rule Book.

The Labour Party

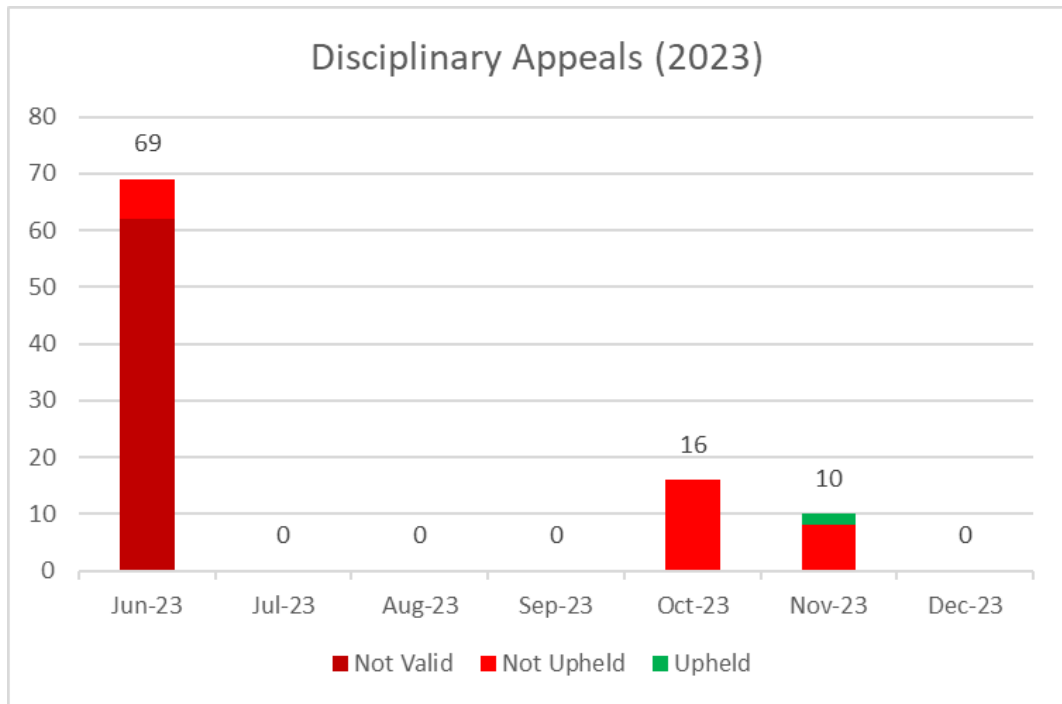


Figure 7: Disciplinary Appeals (June to November 2023)

7 National Constitutional Committee

- 7.1. Between January and October 2023, 16 cases were determined by hearings of the National Constitutional Committee.
- 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. In addition to the above, 7 members lapsed or resigned before a hearing and 1 member was expelled by the NEC for separate allegations in respect of a different matter before this particular case was able to be determined by the NCC. Of those members that resigned, 5 did so in response to receipt of a bundle from the NCC Secretary
- 7.4. There are currently 15 cases awaiting a hearing. Of these, 6 individuals have been served with their bundles and are awaiting a hearing, and the paperwork for the other 9 cases are being prepared by staff.
- 7.5. Following Annual Conference 2023, the AGM of the NCC was held. Councillor Arooj Shah and Councillor Peter Mason were elected as Chair and Vice Chair of the NCC respectively.

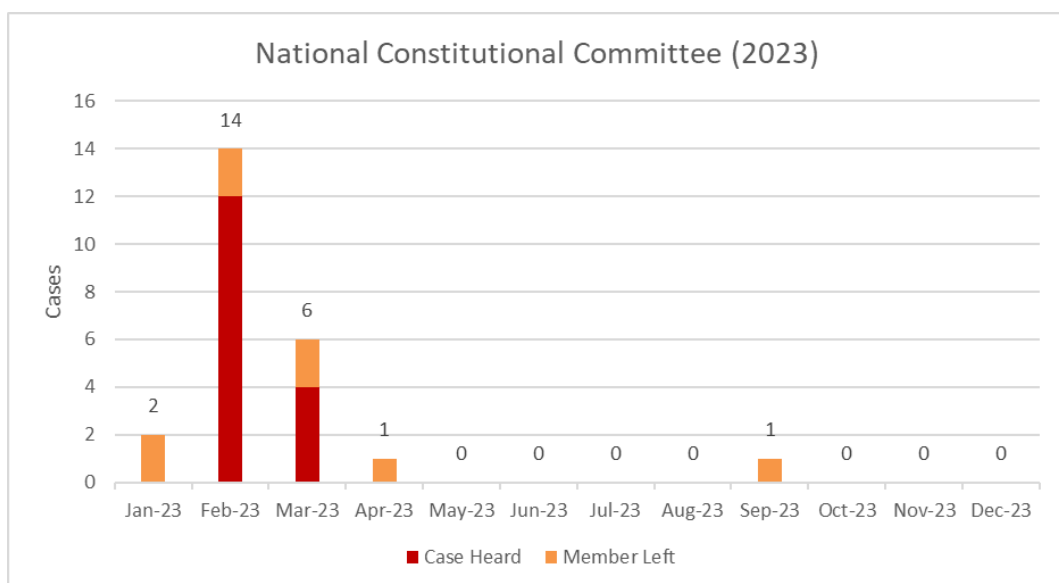


Figure 8: NCC cases determined in January to October 2023

8 Independent Complaints Board

- 8.1. Between January and October 2023, 12 cases have been determined by the Independent Complaints Board. A further 6 cases have concluded because the member resigned or lapsed. One member was expelled by the NEC for separate allegations before their case was determined by the ICB. Of the 6 members that resigned or lapsed, 2 resigned after receiving the bundle from the Board Secretary.
- 8.2. Of the 12 cases that have concluded, 7 individuals have been expelled, 3 individuals have been suspended for 18 months, 12 months and 6 months respectively, and in two cases, the allegations were not upheld against that individual.
- 8.3. There are 17 cases remaining, 5 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 17 cases, 4 individuals have been served with their bundles and are awaiting a hearing, and the paperwork for the remaining 13 cases are being prepared by Labour Party staff.

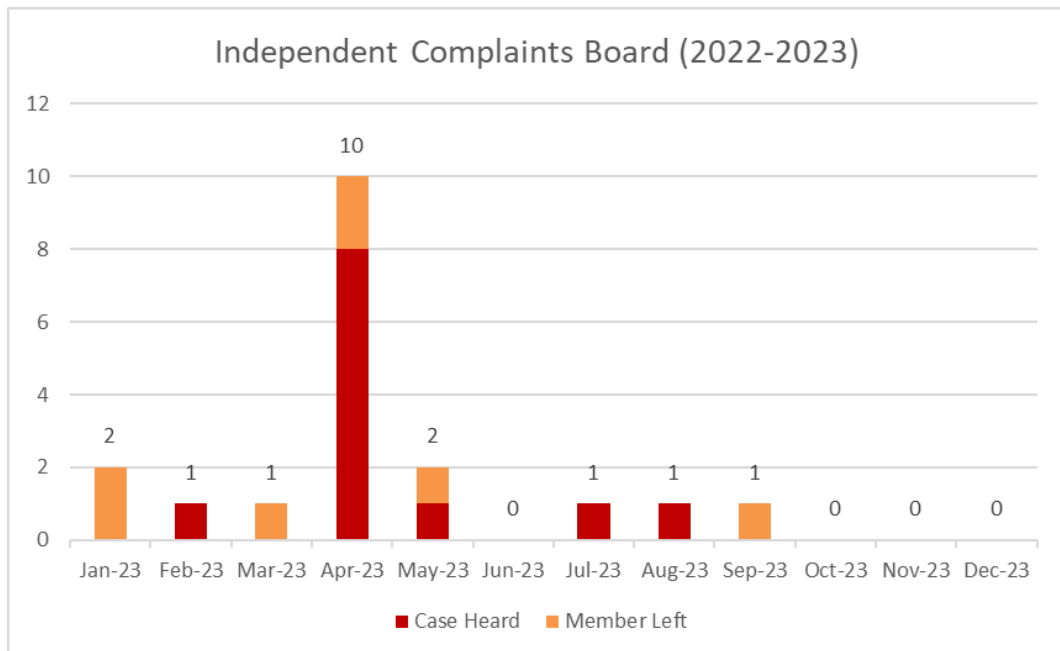


Figure 9: Independent Review Board January to October 2023