

Suggested Rule Change

To introduce a limit on the length of administrative suspensions

The Labour Party Rule Book 2012 Chapter 6, Clause I National action by the Party subclause 1A/B (page 31) reads:

1. The NEC shall take such disciplinary measures as it deems necessary to ensure that all Party members and officers conform to the constitution, rules and standing orders of the Party. Such powers shall include:

- A. In relation to any alleged breach of the constitution, rules or standing orders of the Party by an individual member or members of the Party, the NEC may, pending the final outcome of any investigation and charges (if any), suspend that individual or individuals from office or representation of the Party (★) notwithstanding the fact that the individual concerned has been or may be eligible to be selected as a candidate in any election or by-election. The General Secretary or other national officer shall investigate and report to the NEC on such investigation. Upon such report being submitted, the NEC may instruct the General Secretary or other national officer to formulate charges against the individual or individuals concerned and present such charges to the NCC for determination in accordance with their rules.
- B. In relation to any alleged breach of Labour group rules and standing orders by a group member or members, the NEC may, pending the final outcome of any investigation and charges (if any), suspend that individual or individuals from the group in question (✚). The General Secretary or other national officer shall investigate and report to the NEC on such investigation. Upon such report being submitted, the NEC may instruct the General Secretary or other national officer to formulate charges against the individual or individuals concerned and present such charges to the NCC for determination in accordance with their rules.

Amendment

Add in 1A in place of (★): “for a period not exceeding 12 months”.

Add in 1B in place of (✚): “for a period not exceeding 12 months”.

Supporting argument

For the NEC to have the power to administer suspensions to a party member pending the outcome of an investigation (and possible subsequent hearing by the NCC) is a longstanding and correct procedure. But unfortunately there have been cases where the investigation and hearing have been so delayed that the suspension itself has become a punishment, in that the member is prevented from standing from any party or public office. This suggested rule change would debar open-ended suspensions and impose a reasonable restriction of 12 months on administrative suspensions.

Closing date for constitutional amendments: 22 June 2012