

# Reports to Conference

**Autumn 2022**



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# Federal Committee Reports

## Federal Conference Committee - Nick da Costa (Chair)

*The Federal Conference Committee is responsible for organising our two annual conferences, including selecting items for the agenda.*

### **Autumn Conference 2022: Brighton**

Following two years of online conferences we are delighted to be back in Brighton for our first in-person conference since Autumn 2019.

I would like to thank those members who have registered – or are looking to do so – for conference, and particularly would like to welcome those of you attending your first in person conference. I would also like to welcome back our exhibitors, fringe organisers and observers.

I hope that you enjoy your time at conference, and that you take part in as many of the activities – our fringes, our training, networking, and of course our debates in the auditorium.

If you are not able to attend in person, we do have an online offering, and whilst this does not replicate a full hybrid experience, we want to use this to see what the interest is in this offer and use that as part of our Hybrid Working Group (see section below).

We understand that conference is costly to attend, and to help with that, we administer the Conference Access Fund. This provides a means by which people can attend conference who might otherwise not be able to. We are constantly impressed by the generosity of members who donate to that fund, and if you are able to donate to it please do so here:

<https://www.libdems.org.uk/conference-donate>

## The Agenda

As ever, we received many high-quality motions from all over the party. As outlined in my report to Ad Lib and Lib Dem Voice, we received 41 policy motions, four business motions, five constitutional amendments and three standing order amendments. Unfortunately, time is always tight, and we cannot take all the motions submitted. The FCC selected 18 policy motions, three business motions, four constitutional amendments and two standing order amendments. There will also be a slot for emergency motions.

The Federal Policy Committee has put forward several policy papers for discussion including on a Fairer Society, the natural environment, on carers and a pre-manifesto policy paper. We selected all but one of the FPC policy papers for debate.

For the rest of the agenda, we have selected what we think is an interesting and varied field of motions, and we are looking forward to some lively debates. We have covered a range of topics including: the future of our security and foreign policy with the EU, minimum alcohol pricing, child maintenance, standing up for rural communities, cutting VAT and our relationship with China, just to mention a few.

We also have several speeches throughout conference in the auditorium. We are delighted to be welcoming Kira Rudik (Ukrainian MP, Leader of the Holos party and ALDE Vice-President) to conference who will be giving her speech on Saturday and will be with us throughout conference. We are also delighted to be hearing from our new Leader of Hull City Council, Cllr Mike Ross; Wendy Chamberlain MP; Jane Dodds MS and Welsh party Leader, Eastbourne PPC and Cllr Josh Babarinde, and Sarah Olney MP, Munira Wilson MP, and Leader of the Scottish Liberal Democrats, Alex Cole-Hamilton MSP.

Every policy motion, constitutional amendment and standing order amendment can be amended. The deadline for submitting amendments is **5 September 2022 at 13:00** and can be done via:

[https://www.libdems.org.uk/conference\\_submissions](https://www.libdems.org.uk/conference_submissions).

Deadlines for questions to reports are the same as per the amendments deadline and this can be done via:

[https://www.libdems.org.uk/conference\\_submissions](https://www.libdems.org.uk/conference_submissions).

We have allocated some time for Emergency Motions; these are short motions on issues that arise or where there have been significant developments since the original deadline for motions. This deadline is the same as for amendments and can be submitted using the same web link above.

We continue to provide a drafting advice service. Under that scheme, members of the Committee review motions and amendments that are submitted to it and provide comments and suggestions on the drafting. We do find that people who have used the service tend to be more successful in having their motions and amendments selected. The deadline for drafting advice is: 22 August at 13:00 via the above weblink.

The selected amendments, questions and other information about conference will be listed in Conference Extra and Conference Daily. Conference Extra will be available the Tuesday in the week before conference commences.

You will also be able to access the same information through the Conference App which can be downloaded from the relevant App stores to your devices.

We will continue to allow submission of speakers cards online and you can find the link for this in the agenda.

The FCC is here to help you make the most of conference; please feel free to approach any of us at any time during conference about any questions you may have about the agenda, conference sessions or speaking at conference. You will be able to identify us by the badges we wear with FCC on them. You can also contact us via the FCC Helpdesk and the Lib Dem Conference Facebook group.

## **Online Conferences 2020-2022**

Through hard work we were able to ensure that conference, the sovereign representative body of our party, continued over the past two years. I was proud that we were the only party that was still able to have a full range of activities – including policy debates and voting, and of course our excellent fringe and training sessions. Of course, there were bits that did not work as well – for example, the exhibition, and it was a steep learning curve for not only the Committee, but also our members, our staff and volunteers and our suppliers – we could not have done it without hard work and dedication, and I would like to thank everyone who made it happen.

## **Hybrid Conference**

The FCC has set-up a Hybrid Working Group to explore how we can introduce some of the benefits of an online conference that we experienced throughout our time using the Hopin platform. There are some elements of a physical conference that are difficult to translate into online or hybrid options. However, the entire team is mindful of the benefits that hybrid attendance allows for people who may not be able to travel to an in-person Conference for a variety of reasons. We want to try and make conference as accessible for all, and this is one of the benefits of hybrid options. We hope to be able to provide a further extension of the current Autumn 2022 online option for Spring 2023 Conference, which will be taking place in York.

As part of the work of the Hybrid Working Group we've also looked at wider membership engagement at conference and how we can go about increasing participation at conference. We will look to report back on this following this conference.

## **Conference Venues and future venues**

We will be back in York for Spring 2023 Conference, and I look forward to welcoming you there. Contractual arrangements are ongoing for Autumn 2023 and onwards, and we will be hoping to announce the dates and location for Autumn 2023 very soon.

We are frequently asked about how we go about selecting venues for our conferences, and we often receive suggestions as to where we might take conference in the future. The Conference Office is always looking at new suggestions, and I wanted to share with you some of the minimum specifications for our Conferences:

For Spring, we need a venue for a weekend in mid-March that offers:

- Set-up to take place on Thursday and Friday morning.
- At least 1000 m2 of exhibition stands including walkways, catering and seating areas.
- Auditorium theatre for 1000-1,500 with wheelchair facilities, induction loop and stage.
- Parking space for at least 4 media lorries with good cabling routes to the auditorium.
- At least 6 back of house rooms.
- Conference hotel within 5-10 minutes' walk of the main conference centre – with wheelchair access for fringe rooms, accessible bedrooms, large bar area.
- At least 13 fringe rooms across conference venues to seat 30+ theatre style.
- Competitive pricing and subvention, if possible, to keep the cost of conference to members as low as possible.

For Autumn Conference, we need a venue for mid-September that offers:

- Set-up to take place on Thursday and Friday with conference from Saturday – Tuesday.
- At least 2,300 m2 of exhibition stands including walkways, catering, and seating areas.
- Auditorium theatre for 2,000-2,500 with wheelchair facilities, induction loop and stage.
- Parking space for at least 8 media lorries with good cabling routes to auditorium; • Space for up to 60 workstations for press operations.
- Lounge for 70 theatre style.



- At least 10 back of house rooms.
- Conference hotel within 5-10 minutes' walk of main conference centre – with wheelchair access for fringe rooms, accessible bedrooms, large bar area.
- At least 19 fringe rooms across conference venues to seat 40+ theatre style.
- Competitive pricing and subvention, if possible, to keep the cost of conference to members as low as possible.

One of the biggest challenges we face relates to the cost of the venues, with many venues unfortunately being out of our price range.

## **Thanks**

The Conference Office is an amazing team of individuals who work so hard over the whole year making our conferences happen, and we are all so grateful for the hard work and dedication of the team. We would like to express our thanks to Susie Murray, Daiva Buoziene, Wilma Robinson and Amy McClelland. Sadly Davia Buoziene is leaving the team after conference to explore new adventures and we would like to wish her all the very best of luck for the future. We are delighted to welcome Charlotte Hemsley to the Conference Team. I would also like to express my thanks to Mike Dixon, Sian Waddington and to all the staff at Party HQ who make conference happen.

We are also grateful to the huge amount of effort put into the agenda, particularly the team in the Policy Unit, Christian Moon and Joseph Wright, and the team of policy researchers and advisors and our designer, Mike Cooper.

## **The stewards are back!**

We are delighted to welcome back our Stewards to Conference and you'll see them around our conference venues. They do an incredible job making sure that conference is successful and are always really helpful. If you need any assistance, please do speak to them. I want to thank them for their amazing

work and also to Mike Ross and Jodie Frapple, our Chief and Deputy Chief Steward.

So much at Conference would not be possible without the hard work and dedication of the members of the Federal Conference Committee, and I would like to express my personal thanks to all of the members of the committee. I owe a particular thanks to Cara Jenkinson, Chris Adams and Jon Ball, the Vice-Chairs of the FCC.

Finally, I need to thank you – the members, as conference would not happen if it wasn't for you. Thank you for making conference so special and this party such an amazing party. I hope you all enjoy your time at conference and take advantage of the many different events and sessions over the conference period.

# **Federal Policy Committee - Lucy Nethsingha and Jeremy Hargreaves (Vice Chairs)**

*The Federal Policy Committee (FPC) is responsible for researching and developing policy and overseeing the Federal Party's policy-making process. This includes producing policy papers for debate at Conference and drawing up (in consultation with the parliamentary party) the Federal election manifesto for Westminster elections.*

The Federal Policy Committee has again spent considerable time this year thinking about the party's key messages to target voters, and the role that our policy commitments can play in supporting those. We also of course continue to have ongoing conversations and consultation widely with members and groups of all kinds across the party. As always, the new policy that we are commissioning, developing and bringing to conference reflects these two priorities.

## **Policy papers for this Conference**

A central request from both members and voters is for us to draw together our existing policies into a story which sets out our approach, and key policies which support that. We are therefore bringing to this conference a pre-manifesto developed by the manifesto group chaired by Dick Newby, For a Fair Deal. Although shorter than a full final manifesto, this summarises who we are, what we are seeking to achieve, and key specific proposals in each area.

We are also bringing to this conference policy papers on:

- A Fairer Society, including options for conference to decide about a universal basic income, chaired by Julia Goldsworthy
- A More Caring Society, to tackle the crisis in the care system and support carers more effectively, chaired by Judith Jolly
- The Natural Environment, developed by a long-running working group chaired by Richard Benwell.

We are also proposing a motion on improving security co-operation with Europe, developed by our working group on Europe, chaired by Duncan Brack.

We have also developed, through a working group chaired by Peter Thornton, a full policy paper on homes and planning, with a wide range of proposals in these areas. This motion and paper was, however, not selected for debate at Conference by the Federal Conference Committee.

## **Manifesto**

The pre-manifesto which we are bringing to this conference is of course an interim stage towards the final manifesto for a General Election. If a General Election should be called at short notice, we have everything in place to be able to agree the final manifesto at speed, of course based on the pre-manifesto; we have had considerable experience of doing this over recent years!

Assuming this does not happen, from the autumn we will be doing further consultation across the party towards writing the eventual manifesto, and also expect to bring further papers to future conferences.

It is worth restating again that, unlike in some other parties, the manifesto is not written in isolation. In our party the process of members debating and deciding party policy is ongoing, with for example the papers we are bringing to this conference for debate forming key planks of the likely eventual manifesto. The process of writing the manifesto as such is therefore more a process of distilling and presenting our existing body of policy in the way most appropriate for the General Election, than starting afresh.

## **Future policy papers**

We plan to bring proposals on Early Years & Childcare, developed by the existing group chaired by Dine Romero and which held a consultation session at spring conference this year, to spring conference next year.

Drawing on the process outlined above, we have identified three areas where we believe it is important for the party to develop new policy. After advertising for party members to apply to join them, and reviewing a large number of high-quality applications, we have now therefore appointed new working groups on

- International Security, chaired by Christine Cheng
- Food and Farming, chaired by Stuart Roberts
- Opportunity and Skills, chaired by Rosie Shimell

These groups have now started work, and will be consulting formally at spring conference next year, before FPC hopefully proposes a final paper in these areas to autumn conference next year.

Serving on, and particularly as the chair of, a policy working group is a significant commitment, and FPC thanks the two hundred or so party members who have served or are serving on the policy working groups outlined above, as well as hundreds more who applied to join them.

The full programme of current working groups is therefore as follows

	Consultation session	Final paper to Conference
Pre-Manifesto	Spring 2022	Autumn 2022
A Fairer Society	Autumn 2021 & Spring 2022	Autumn 2022
A More Caring Society	Spring 2022	Autumn 2022
Natural Environment	Spring 2022	Autumn 2022
Security Co-operation with Europe		Autumn 2022
Early Years & Childcare	Spring 2022	Spring 2023
International Security	Spring 2023	Autumn 2023
Opportunity & Skills	Spring 2023	Autumn 2023
Food & Farming	Spring 2023	Autumn 2023

## **Consultation across the party**

All working groups carry out full consultation exercises, supported by a consultation paper, and including a formal consultation session at conference. We are also pleased to have developed a particularly fruitful relationship with the Party Bodies Forum, composed of the party's interest groups in specific areas, and over the last few months have consulted them on both our programme of future work, and the pre-manifesto.

The Federal Policy Committee itself, of course, is structured to contain representation from all state parties, councillors and a number of other groups including Young Liberals. We also ensure we work closely with other parts of the federal party, especially the communications and campaigns team.

We continue to report on our meetings through our committee page on Facebook, at <https://www.facebook.com/groups/federalpolicycommittee>, and the AdLib blog on the party's website (<https://www.libdems.org.uk/adlib>).

## **Personnel**

FPC has worked hard managing the development of policy in a wide range of areas this year, and we thank our colleagues on the committee for their dedication. The committee meets around twelve times a year, with very high attendance levels. At present our meetings are mostly online, with occasional hybrid meetings, and an in-person awayday at least once a year. We want to thank in particular our indispensable staff team in the policy unit of Christian Moon and Joe Wright, without whom none of the programme set out above would be possible.

## **Federal Board - Mark Pack (President)**

*The Federal Board (FB) is responsible for directing, co-ordinating and overseeing the implementation of the Party's strategy and the work of the Federal Party.*

### **Removing the Conservatives from power**

With a new Conservative Party leader upon us, the range of plausible dates for the general election is wide open. As it now may well be much sooner than seemed likely at the time of our last conference, the Board has been reviewing our general election plans. Preparations have been stepped up across the party, and the pre-manifesto document being debated at conference is an important part of that.

This all makes now an even more important time for us all to be out on the doorsteps, recruiting new members and campaign helpers. There's been a clear pattern in our recent electoral successes at all levels that building up campaign organisations well in advance of the formal election campaign is a central element to success.

The Membership Incentive Scheme is still in place, with generous additional payments to local parties who recruit or renew party members locally, especially if it is done on direct debit.

Thanks in particular to our wonderful three Parliamentary by-election wins in the last year, when that general election comes, we'll be a key part of the route to removing the Conservatives from government in Westminster.

That makes the Parliamentary seats in the (variously and flexibility defined) Blue Wall an increasingly important focus for us as the next general election polling day nears. But the majority of our councillors, our members and our voters are outside the Blue Wall.

So it's not only the target seats for the next Westminster election we need to prosper at. We also need to be winning at other levels of election more broadly. We need to continue the sort of breadth in our recovery we saw in

May's local elections - amazing progress against the Conservatives in the Blue Wall and continuing recovery elsewhere, including up against Labour and the nationalists. Both of these tracks need to be successful for us to be a growing, national party.

That's why the Board has continued to prioritise investment in the breadth of our campaigns officers network, supporting not only Parliamentary target seats but also progress in other areas too. Thank you to all the other parts of the party who have cooperated on this, giving us a much larger network of staff supporting grassroots campaigning than we had before.

### **Treating our staff well**

I am glad to report that the federal party has been awarded the 'excellence' status by the Good Work Standard for how we go beyond legal minimum requirements in looking after staff.

Another important part of treating staff well is taking action when others, such as members, fail to do so. That has been one of the reasons behind the new Code of Conduct for Members and Registered Supporters that the Board is putting to conference for ratification (see details in the main agenda). Disagreement, debate, highlighting things that have gone wrong, pushing people to do their best - these are all very welcome, but when it steps over the line into bullying, it's important we are all willing to step in and take action to stop it.

### **Improving our data and technology**

This has been one of the priorities for our federal budget in the last two years as providing our grassroots campaigners across the party with the best online and data tools is an important part of being a successful campaign organisation in the 21st century. It's also how we can ensure we continue to have a broad-based recovery in our political strength alongside the necessary focus on target seats as each polling day nears.



Our new website tool (Fleet), our new email tool (Targeted Email), our new events tools (Eventcube) and our new online donations tool are all being readied for local parties, and other parts of the party, to be able to start using later this year. These will include much better data integration, so that - for example - email address and petition information flows smoothly between our different tools.

## **Getting better at diversity and inclusion**

This is both about putting our values into practice for how we operate as a party, and also about being more successful too - because more diverse and inclusive teams are also more successful teams.

Our new Diversity and Inclusion manager has now started at HQ, reflecting the priority we're giving to this area of work in the light of the Thornhill Review.

Our federal party HQ has also been accredited with the highest level possible by the disability confident scheme. This demonstrates as an employer we are leading the way in providing a great working environment for those with long-term health conditions.

We recognise that there are many people within the Party that are working on initiatives to improve diversity, this year we have worked on connecting those people and creating a network of knowledge that reaches beyond regions and local parties. This year we feel the biggest change has been the sharing of stories and practical tools that will improve the diversity of our membership.

We have created a central repository of support material, located on the Campaigns Hub. Along with onboarding documents for Diversity Officers, this will help them feel part of a bigger team rather than on their own.

We have a clear plan of action which is reported to the Federal People Development Committee (FPDC) and supports our strategy to focus on disability and race equality. There is still lots to be done.

An appeal over the conduct of the Vice President by-election last year was finally concluded in July, with the appeal being rejected. (This does perhaps also show conference's wisdom in voting for a shorter and clearer internal elections appeals process in the spring.) Normally, the Board would do a review after an internal election, but as this was a by-election and now not much time is available until the next internal elections, instead we directed feedback at the Returning Officer team for the next elections. The by-election can then be included in the next full review after this autumn's elections.

That Returning Officer team will be headed up by David Crowther who the Board appointed over the summer to the new federal Returning Officer post.

The Board has also agreed the following measures to help ensure improving diversity and inclusion is at the heart of the Board's approach to filling party posts:

*The Federal Board will regularly report to the Federal Council on all the party roles that it has filled, whether by election or appointment, including providing details of measures taken to enhance the party's diversity, data on the diversity of its appointments and the measures the Board takes to evaluate candidates and to judge their performance before deciding whether or not to re-elect or re-appoint them.*

We've adopted this in part because often the Board is filling one post here or two posts there - and so there's a risk that the pattern across all these appointments is not the one we would want or need.

## **Complaints process**

The volume of complaints in our independent system has continued to fall. After peaking at over 300 in 2020, it is now consistently under 100, and still declining. There is more detail in the Lead Adjudicator's report to conference.

The Board has also considered proposals for some improvements to the rules from the Disciplinary Sub Group (DSG), based on feedback from those who

run our independent complaints system and from those who have been participants in it.

Based on this, we're reporting to you changes as set out at the end of this report.

## **Thank yous**

As this is the final report back to conference of this three-year cycle, now is a good time to thank everyone who has helped the Board do its work on your behalf since the 2019 general election.

Particular personal thanks from me to the two vice chairs for the last three years, Elaine Bagshaw and Jeremy Hargreaves, and to the staff who work most closely with the Board to ensure its smooth operation, especially Jack Coulson, the party's Company Secretary, Georgia Potter, Executive Assistant to the Chief Executive and President and our Chief Executive, Mike Dixon.

Thank you also to the many members who have responded to our consultations, read our reports, questioned our work at meetings and sent emails of concern (or sometimes praise!). All of those interactions help keep the Board in touch with party members and has made our decision making better. Thank you.

## Changes to the complaints process

*The changes to the complaints process being reported to conference as part of the Board report (item F23 at 09:00 on Monday September 19th) are set out below. To see the existing rules in full see [www.libdems.org.uk/complaints-procedure](http://www.libdems.org.uk/complaints-procedure). To see how the rules would read with the changes in place, see <https://bit.ly/CPROCA22>*

The changes are mainly amendments to wording to provide clarity to participants. The significant changes are:

- **A right to appeal against a complaint being dismissed at the first stage** - currently such appeals are not allowed, and it is proposed this is changed.
- **Suspensions** - allow the Senior Adjudicators' Team (SAT) the discretion to contact the Respondent to clarify information or give them the right of reply before making a decision on suspending them pending the outcome of a case.
- **Resignations** – currently, a Respondent can stop a complaint progressing against them by resigning from the party. Proposal is instead to give the SAT discretion over whether a complaint should still progress, and also to give a complaint panel the power to impose a sanction to apply or consider in the case of the person later seeking to rejoin the party.
- **Allow flagrant breaches of applicable article(s) Federal Constitution to be resolved without a hearing** – currently, Panels can dismiss a complaint without a hearing, based on the papers submitted by both sides. The proposal is to allow Panels to be able to uphold complaints **only** in circumstances whereby there is a flagrant breach of the relevant Article(s) of the Federal Constitution, based on the written submissions (which will include a Respondent being given the right to submit a written defence). The relevant Articles are listed below and it is required there be evidencable breaches of Articles

3.8(c) and/or 3.8(d) in order to uphold a complaint based on papers alone:-

- C. standing against the candidate of the Party in any election to public office;
- D. membership of or support for another political party in Great Britain.

- **Investigations** - allow a panel to direct an Investigator on specific additional points to be investigated/clarified.
- **Removal of references to specific job titles** – currently the rules specifically refer to the Head of HR and Chief Executive. Proposal is to change this to “relevant senior staff” to cater for holidays, absences or job title changes.
- **Warnings** – the proposal is to clarify that previous behaviour and outcomes are considered in this process.

The specific changes to each part of the rules are set out below.

## **PART 1: Complaints process rules**

Amend wording for Paragraph 1.1 to state complaints can only be made about members (addition is shown in bold below):

“Any person can only make a Complaint **about a member of the Party** using the standard complaints form on the Party's website.”

Add Paragraph 1.2 and renumber accordingly to clarify complainant must provide evidence at inception of complaint

“A Complaint must set out all the evidence that supports the allegations raised at the inception of the Complaint. A Complainant must set out all the evidence that supports their allegations raised at the inception of the Complaint. The Complainant may introduce, at the discretion of the Adjudicator, further evidence if it either:

- A) became available only after the inception of the complaint:  
or  
B) becomes newly relevant to the complaint in the course of the investigation or in relation to the Respondent's submission."

Amend wording for Paragraph 1.3 from "Lead Adjudicator" to "Standards Office" (change is shown in bold below):

"The Standards Office will not accept complaints which do not fall within the definition of a 'Complaint' under these rules. If a person is not sure whether their complaint meets the criteria they may contact the Standards Office for advice and/or review the flow chart at Appendix 1 – Who should I report a complaint to?. Decisions of the **Standards Office** on whether a Complaint meets the criteria or not are final."

(This change is because the paragraph states "*Standards Office* will not accept complaints..." but goes on to state that the Lead Adjudicator's decision is final. However, the Lead Adjudicator has not been involved in making the decision and so this change rectifies that drafting error. The Standards Office uses the definition of "Complaint" provided in the Complaints Procedures as previously reported to Conference to determine whether a complaint falls within the remit of the Complaints Process, as previously set by Conference.)

Amend wording for Paragraph 1.4 to state internal information will not be disclosed (addition is shown in bold below):

"Any written communication about a Complaint sent by any person to an Adjudicator allocated to that Complaint or to the Senior Adjudicators' Team or to the Standards Office, shall be added to the records for that Complaint **for review. Disclosure of information requires adherence to applicable UK GDPR requirements.**"

Add wording to Paragraph 3.2 to include the Respondent, in order to allow for appeals at first stage, which includes warnings:

“The Respondent can appeal in writing within 7 days of receiving notice from the Standards Office of the decision to issue a Warning. This appeal will be considered by the Review Panel at their next meeting.”

Add wording to Paragraph 5.2 to allow the Senior Adjudicators’ Team to contact parties to complaint at any stage (pre-suspension):

“The Senior Adjudicators’ Team may exercise discretion in adherence to the rules of notifying a Respondent of a complaint. In exceptional circumstances, in order to clarify subject matter content to aid the decision-making process, the Senior Adjudicators’ Team may contact parties to the complaint at any time during the process.”

Amend wording for Paragraph 5.3 to include any request for additional information to suspend (addition is shown in bold below):

“If the Senior Adjudicators' Team decide to suspend a person’s membership the suspension will be effective immediately, **or in exceptional circumstances, after receipt of information requested of the Respondent.**”

Amend wording for Paragraph 6.3 to reflect the deadline for submissions rather than specifying the default 14 days as extensions can be provided (addition is shown in bold below):

“Once **the deadline for all submissions has expired**, the Panel Chair will hold a meeting of the Panel to review the Complaint(s), any Counter-Complaint(s), responses and evidence.”

Amend Paragraph 6.4 to include a new outcome at Panel stage, to allow breaches of applicable article(s) Federation Constitution to be resolved without a hearing (all sanctions are available to the Panel as usual):

“After considering the documents, the Panel will decide whether to:

- A. dismiss the Complaint(s) or Counter-Complaint(s) on the basis of the written evidence only, or
- B. **uphold** the Complaint(s) or Counter-Complaint(s) on the basis of the written evidence only **in circumstances where there is evidencable breach(es) of Articles 3.8(c) and/or 3.8(d) of the Federal Constitution**, or
- C. hold a hearing, in which case they should set a hearing date at least 14 days in the future.

The Standards Office shall tell all parties to the Complaint of the Panel's decision rationale **and sanction (if applicable in the case of an Uphold decision)** or the hearing date (if any)."

Add wording to Paragraph 6.5 to include the ability for a Panel to instruct the Investigator on specifics (addition at end):

"The Panel can request specific questions to be asked by the Investigator to support their review of the Complaint."

Add a new Paragraph 6.6 (and renumber accordingly) to allow a Panel to consider an Investigator report and restart a review under Paragraph 6.3:

"If an Investigator is appointed under paragraph 6.5, the Investigator's report (and any supporting evidence) will be shared with the Panel for the Complaint to re-considered under paragraph 6.3."

Amend Paragraph 7.1 to add appeals wording to allow for appeals under stages 3.2 (Respondent dismissed - warning), 4.1 (No further info) and amend paragraph number 6.7 (Dismissed by Panel). Changes shown in bold below:

"A Review Panel will meet at least once a month to consider appeals made in writing against decisions to dismiss (under either of paragraph 3.1, **3.2, 4.1** or 6.7). The decisions of a Review Panel will be final."



Amend Paragraph 7.2 to add appeals wording to allow for appeals under stages 3.2 (Respondent dismissed - warning), 4.1 (No further info) and 2.1.1 (Dismissed). Changes shown in bold below:

“If the Review Panel overturns a decision under paragraph 3.1, 3.2 or 4.1, it will set out in writing its reasoning and whether the Complaint should be dealt with under paragraph **2.1.1**, 2.1.2, 2.1.3 or 2.1.4 instead.”

Amend Paragraph 7.3 to correct paragraph number 6.7 (Dismissed by Panel). Changes shown in bold below:

“If the Review Panel overturns a decision under paragraph **6.7**, the Standards Office will appoint a new Panel to consider the Complaint at a Panel hearing.”

Amend Paragraph 7.5 to correct paragraph number 6.14 (Uphold by Panel). Changes shown in bold below:

“An Appeals Panel will meet at least once a month to consider appeals against Panel decisions to uphold Complaints made under paragraph **6.14**. The decisions of an Appeals Panel will be final.”

## **PART 2 – Extra Steps**

Amend wording for “Criminal matters - Paragraph 4.2” - Head of HR and/CEO are not relevant, usually Head of Complaints / Complaints, Director of Ops etc.

Change “report to Head of HR and CEO” to “appropriate or relevant senior members of HQ staff”

Amend wording for “Criminal matters - Paragraph 4.3”

Change “where the Head of HR or CEO intends to report” to “where senior members of HQ staff intend to report”

Amend wording for “Complaints against Parliamentarians and other elected representatives Paragraph 2.1” to clarify that a decision outcome is required from the relevant hand off authority. Changes shown in bold below:

“If not **found to have been acting in their role as a Parliamentarian or elected representative**, the referee shall inform the Standards Office **of their outcome and rationale** within 10 working days and the Complaint shall be dealt with under this complaints process.

Amend wording for “Complaints against Parliamentarians and other elected representatives Paragraph 2.3” to clarify that the SAT can ratify or disagree with the referee report and outcome, in which case a Panel is to be convened. Changes shown in bold below:

“If the referee provides a report and final decision within a month of delivery of the Standards Office’s written request under paragraph 2.2, the Complaint shall be referred to the **Senior Adjudicators’ Team who shall make its decision** as to whether to confirm the outcome of the Complaint based on the report and any other evidence the Standards Office has received (and for the avoidance of doubt the SAT shall not be bound by the findings of any report and decision provided by the referee). **If the SAT disagree with the referee investigation and/or outcome, the complaint can return to paragraph 2.1.4 stage for Panel deliberation.** In the event that a report and final decision are not provided within one month, the Complaint shall be dealt with from that date under this complaints procedure.”

### **PART 3 – Guidance and explanatory notes**

Add wording to “Evidence” to state all evidence must be supplied at complaint inception:

“It is the responsibility of the Complainant to ensure that all supporting material is included at complaint inception. Failure to do so may lead to the Complaint being dismissed.”

Amend wording for “Evidence”:

From “This means it is the Complainant’s responsibility to be prepared” to “It is the Complainant’s responsibility”

Amend wording for “Evidence”:

From “Complainants will need to” to “Complainants must”

Amend wording for “Evidence”:

From “It is also the Respondent’s responsibility” to “It is the Respondent’s responsibility”

Amend wording for “Evidence”:

From “they will need to explain” to “they must explain why”

Amend wording for “Resignation of parties to the Complaint” so that a resignation does not simply trigger an automatic closing of a complaint.

Updated wording is:

“Respondents or Complainants may seek to resign their membership of the relevant State Party before the complaints procedure is complete.

While the relevant State Party may accept such resignations, in such circumstances the Senior Adjudicator’s Team should review the case to determine if there is sufficient interest in continuing the complaints process.

If the Senior Adjudicator Team believes there is sufficient rationale to continue with the complaints process, the Panel may continue at the relevant stage of the complaint.

If the Respondent resigns before the decision of the Complaints Panel has been made, the Complaints Panel should take this into account when considering any outcome and/or sanction.

For example, the Panel may wish to Uphold the Complaint, and determine a relevant sanction, which is to be applied in the event the Respondent tries to re-join the Party. In order to do this, a flag will be placed on the Respondent's federal party membership record by the Standards Office. In the event that the Respondent tries to re-join the Party, the Standards Office will inform the relevant applicable body of any relevant outstanding sanction, this includes but is not limited to the relevant local, regional and/or state party or Affiliated Organisation membership teams."

Amend wording for "Patterns of behaviour - Warnings"

From "If any new Complaint is upheld" to "If any new Complaint is made"

Amend wording for "Patterns of behaviour - Warnings"

From "the Warning would then be taken into account" to "the volume, scope and outcome of all previous complaints would then be taken into account"

## **PART 5 – Definitions and Glossary**

Delete definition of CEO as reference has been removed and replaced elsewhere with "relevant senior member of staff".

Add definition of a Decision Notice:

"A document issued to all relevant parties that outlines the decision and rationale of the Lead Adjudicator or Panel in response to the Complaint."

Add definition of a Panel Hearing:

“An inquisitorial process to which all relevant parties to the Complaint(s) are invited, which is convened by the appointed Panel to review and consider the relevant evidence provided by all parties and to ask any relevant questions.”

Add definition of a Procedure Notice:

“A document issued to all relevant parties that outlines the details of a Panel Hearing including, but not limited to the time and date of the Hearing and relevant evidence to be taken into consideration”

Amend definition of a Process Mentor to allow Process Mentors to be appointed to all participants not just Respondents.

From “Respondents” to “Participants”

## **Vice President - Amna Ahmad**

*The Vice President responsible for working with ethnic minority communities is elected by all Party members and is a voting member of the Federal Board. They champion the voices of ethnic minority communities within the Party.*

It is an honour to serve as your Vice President from February this year and I'd like to take this opportunity to thank those who have supported this work to date. We have much left to do and, as always, I look forward to hearing your ideas on how we continue to create a more diverse winning party which looks more like the people we want to represent.

### **Lib Dem Spotlight – highlighting your success**

I launched the 'Lib Dem Spotlight' campaign at Spring Conference. It was an appeal to party members, candidates, and volunteers across the country to share their success with us, with a particular focus on diversity within our campaigning tactics, our voter and community engagement and, especially, our own diverse Party talent. The response to this digital campaign was overwhelming, with over 50 candidates and campaigns highlighted on social media, expanding the reach of their campaigns, boosting volunteer help on the doorstep and aiding promotion.

Our election results in May were phenomenal and this is down to the hard work of our local campaigners, including volunteers, local party executives, candidates, and deliverers. The Lib Dem Spotlight campaign helped shine a light on the work that often goes unnoticed other than at election time and the diversity of talent within our own party.

### **Adopting a definition of racism**

Unlike other British political parties, the Liberal Democrats do not have a definition of racism. This is unusual and, when mentioned at the VP hustings last year, it had widespread support from the other candidates and members.

In the last few months, I have worked with internal and external organisations to create a working definition, appropriate for our Party, and members will

have the chance to give their views on a form of words at a consultation session at Autumn Conference.

Alongside this, I continue to press the importance of supporting diverse voter engagement and candidate recruitment through party channels, including the Federal Committees and Federal Board.

### **How to win on the ground – setting up a pilot programme**

Diversity is key to winning elections. As a committed Liberal Democrat, I believe that diversity is not just ‘nice to have’ but the root of how we will win more council and Parliamentary seats in the future.

The Campaigns Hub contains materials on how local parties can achieve this but, to develop this further, I am looking for volunteers to support an expansion of this project to create a pilot programme with wards across the country where we specifically target voter engagement in ethnic minority communities. If you would like to put your ward forward for consideration then please get in touch.

### **Collaborative working**

As Vice President, my aim in this newly elected role is to continue to work collaboratively with those already actively engaged in anti-racism and inclusivity, including SAOs, and members. I had the honour of being guest speaker at the Chinese Lib Dems EGM where I heard from members on upcoming election campaigns, engagement with Lib Dem HQ on Parliamentary Candidate processes and broadening the Party’s national appeal. I am actively engaged with LDCRE, particularly around the work on creating a definition of racism and look forward to continuing to support their events and work in the Autumn. I am also in regular contact with Diversity Officers, ALDC, EEDI group and HQ Diversity team (including the newly appointed Diversity Officer).

I work with organisations across the Party so please get in touch on [vice.president@libdems.org.uk](mailto:vice.president@libdems.org.uk) if you’d like to meet to discuss how to improve diversity and inclusion in your local party.

# **Federal Finance and Resources Committee - Mike Cox FCA (Chair and Party Registered Treasurer)**

*The Federal Finance and Resources Committee (FFRC) is responsible to the Federal Board for planning and administering the budget and finances of the Federal Party, as well as overseeing the administration of the Federal Party. FFRC presents audited Annual Accounts to Conference and oversees the Party's compliance with external regulatory bodies, including the Electoral Commission. The FFRC is chaired by the Registered Party Treasurer, a statutory role under electoral law, with responsibility for money out. This role is distinct from the Party Treasurer who has responsibility for money in.*

## **2022 Financial Progress and 2023 Outlook**

This is my first report to Conference following my appointment as the Party's Registered Party Treasurer and I want to start by paying tribute to the hard work and skill of my predecessor Anthony (Tony) Harris who has guided the Party finances through some extremely challenging times. It is quite clear that the financial health of the Party has undergone a sea change for the good and Tony's dedication to the task has benefitted the Party enormously.

The effect of COVID continued into 2021 and the Federal Board placed significant focus on keeping the budgets balanced as much as possible. The Party's revised financial procedures allow us to monitor and control our finances in real-time and to spot upcoming problems much earlier than was possible in previous years. I am pleased to report that our performance against the budget has been on target. Tremendous thanks must go to Mike Dixon, our CEO, his team of staff and directors, Fern McLurg, our Financial Controller, and the HQ finance department for their continuing hard work and close attention to the financial detail. They have all helped the Party to achieve a better outcome than 2020 and more importantly, better than might have been expected. Whilst we finished the year with a substantial deficit, we have continued to maintain a positive cash balance which will serve us well as we prepare for the next general election and the various political events in the run-up to it.



Our financial loss for the year reflects in part the fact that, as COVID has continued to bite, Charities and Political Parties alike have felt the effect of members and donors looking to their own finances, in preference to regular giving to political parties. That is why we are so dependent on, and grateful for, the generosity of our loyal members who have continued to support us throughout this crisis. Thank you.

The FFRC committee has dedicated members who have a formidable skill set and they have also been very active in working groups focusing on membership income, donations, data protection and compliance to name just some of the areas they have been looking at. Sincere thanks must go to Tony Harris, our outgoing Chair, David Collington, our FFRC secretary, and the entire FFRC committee for their continuing hard work and dedication to keeping us out of the red.

The 2021/2 results have benefitted from additional appeal income particularly as a result of the fantastic By Election wins in Chesham and Amersham and North Shropshire as has the current year due to the equally spectacular win in Tiverton and Honiton.

The future with respect to the ongoing effects of COVID is still not clear and that along with the "Cost of Living" crisis is putting financial pressures on our finances in all areas. This still makes the full economic picture for 2023 very unclear but FFRC will continue to monitor our finances and budget carefully so that we continue to manage our Party resources in a prudent fashion.

Our 2022 budget should stand us in good stead as we finish this year and look to 2023 and beyond.

## **Compliance**

Kerry Buist and the entire compliance team have done an outstanding job in keeping our reporting up to date and running training and compliance 'clinics'. I urge all treasurers to take advantage of these if you have not done so already. However, we continue to suffer because some accounting units are reporting donations, loans, and loan repayments after the legal deadlines

leading to Electoral Commission investigations. This involves the compliance team in significant effort to close these down, wastes hundreds of hours, and risks fines. I ask all local Party's and Treasurers in particular, to place a particular focus on timely reporting to reduce our financial exposure, and the burden on the HQ compliance team. Please note fines will be passed on to the relevant accounting unit responsible for the breach. It is in all our interests to get it right. Thank you in advance.

All donations are checked for legal permissibility by the Party's compliance officers and by the Registered Treasurer. Donations are also assessed for reputational risk by the Party Treasurer and approval for donations above £25,000 from a new donor is sought from the Chair of the Federal Audit and Scrutiny Committee. Should there be any negative comment then the decision to accept or not is passed to the following four people who must agree unanimously to proceed: the Party Treasurer, the Registered Treasurer (Chair of FFRC), the Chief Executive and the Chair of the Federal Audit and Scrutiny Committee. Declarations of donations, statements of accounts, and Party campaign expenditure are on the Electoral Commission website.

## **Financial review**

Like many organisations, the year 2021 was a mixed one for the Federal Party because of the continued problems of the coronavirus pandemic. The 2019 General Election, whilst politically disappointing, did enable the Party to create a positive reserve position which has allowed the Party to rebuild. This rebuilding process has been overshadowed by the Coronavirus pandemic and its knock-on financial effects on our fundraising, campaigning, Spring conference etc

The delay in our ability to hold physical fundraising events and to meet potential donors in person has continued to put a strain on our finances. The organisation, having adjusted well to working remotely, continued to hold our Autumn Conference online. Whilst successful and well attended, due to the nature of online events, it did not generate as much income as a physical conference.

The strategy of rebuilding the party in a managed and sustainable way has begun to pay dividends politically and financially with the 3 recent spectacular by-elections (2 in the financial year) and the stunning Local elections in May 2022.

The Federal Party ended the year 2021 with a deficit of £0.93m (2020 - £1.18m) which reduced our brought forward reserves to £1.53m (2020 - £2.45m). Whilst this strategy of a managed reduction in reserves while the Party is rebuilt is sustainable for a few years it cannot continue beyond 2023/4. A return to a balanced budget is needed sooner rather than later.

The full accounts of the Federal Party can be found on the electoral commission website.

## The Liberal Democrats (The Federal Party) Income and Expenditure Account For the year ended 31 December 2021

<b>Note</b>	<b>2021</b>	<b>2020</b>
	<b>£</b>	<b>£</b>
<b>Income</b>		
Donations	<b>1,935,997</b>	1,388,023
Membership and subscription fees	<b>1,574,472</b>	1,860,684
Conference income	<b>170,686</b>	168,110
Notional income		-
Grants	<b>451,177</b>	457,522
Interest receivable	<b>102,818</b>	1,319
Recharges to party bodies	<b>936,019</b>	1,111,687
Other income	<b>468,686</b>	329,401
	<b>5,639,855</b>	5,316,746
<b>Expenditure</b>		
Fundraising expenditure	<b>72,966</b>	41,063
Conference expenditure	<b>170,202</b>	194,952
Notional expenditure		-
Depreciation and amortisation	<b>47,655</b>	36,295
Campaign expenditure	<b>738,857</b>	334,973
Staff costs	<b>3,380,426</b>	3,449,545
Premises & office costs	<b>740,328</b>	918,302
IT & polling costs	<b>558,464</b>	491,235
Interest payable and similar charges	<b>63,513</b>	51,043
Grants to party bodies	<b>606,709</b>	676,018
Services to members	<b>90,429</b>	157,896
Audit fees	<b>24,308</b>	40,690
Other expenditure	<b>51,397</b>	101,736
	<b>6,545,254</b>	<b>6,493,748</b>
<b>(Deficit)/surplus before</b>		
<b>Taxation</b>	<b>(905,399)</b>	<b>(1,177,002)</b>
Taxation surplus/(deficit)	<b>(20,803)</b>	-
<b>(Deficit)/surplus for the</b>		
<b>year</b>	<b>(926,202)</b>	<b>(1,177,002)</b>

## Balance sheet

	2021 £	2021 £	2020 £	2020 £
<b>Fixed Assets</b>				
Tangible assets		323,205		24,56
<b>Current assets</b>				
Debtors	737,418		552,207	
Short term investments	603,376		501,617	
Cash at bank and in hand	<u>957,231</u>		<u>2,299,931</u>	
	2,298,025		3,353,755	
<b>Creditors falling due within one year</b>				
Creditors	<u>(737,619)</u>		<u>(570,611)</u>	
<b>Net current assets</b>		<u>1,560,406</u>		<u>2,783,144</u>
<b>Total assets less current liabilities</b>		<u>1,883,611</u>		<u>2,807,713</u>
<b>Provisions for liabilities</b>		<u>(354,300)</u>		<u>(352,200)</u>
<b>Net assets</b>		<u>1,529,311</u>		<u>2,455,513</u>
<b>Reserves</b>				
General Fund		1,484,311		2,410,513
Reserve Fund		<u>45,000</u>		<u>45,000</u>
<b>Total funds</b>		<u>1,529,311</u>		<u>2,455,513</u>

# **Federal Communications and Elections Committee - Lisa Smart (Chair)**

*The Federal Communications and Elections Committee (FCEC) oversees the implementation of the Party's strategy in relation to elections, campaigns and communications.*

Since we reported to the party's Spring Federal Conference in March, the Federal Communications and Elections Committee (FCEC) has been working on a number of projects to achieve our main aim – to get more Liberal Democrats elected.

The local elections in May saw the number of Lib Dems elected to principal councils increase in Wales, Scotland and England. We gained majority control of three additional existing councils as well as two newly formed councils and had a net gain of 224 councillors. Thank you to every single Liberal Democrat who contributed to that cracking set of results.

We've also been making steady progress in getting more Lib Dems elected in by-elections across the country with some notable gains against both the Conservatives and Labour. The win that made the most headlines (and full colour splashes) was Richard Foord's fabulous victory to become the Lib Dem MP for Tiverton & Honiton. A huge thank you must go to everyone who contributed to that win. A particular thank you to those people who came to campaign for the first time and caught the campaigning bug.

FCEC has taken regular reports from campaigns and communications staff as we learn from what has worked well in the past and where we need to concentrate our efforts more in future.

We've heard back on a piece of work we commissioned about the way we select our parliamentary candidates after we all got a bit frustrated by how long it was taking to get candidates in place in some of our most winnable seats. Thank you to Alison Suttie, as Chair of the Joint Candidates Sub-Committee who led on that report.

We also reviewed the list of target parliamentary seats and the support given to the teams working to win those seats.

This will be my last report to Conference as FCEC Chair as my term comes to an end in December. I have enjoyed my time on FCEC and believe we have worked well with the staff team to lay the foundations for a positive future in the communications and elections areas of the party. I wish the next Chair of FCEC every success. They will have my full support as they strive to continue the committee's efforts to get more Lib Dems elected.

## **Federal Federal People and Development Committee - Mary Regnier-Wilson (Chair)**

*The Federal People and Development Committee (FPDC), working with State Parties and other Party bodies as appropriate, the Committee has responsibility for coordinating, planning and supervising the training strategy for the Federal Part, the diversity engagement strategy, membership recruitment, retention and activation strategy and working with Affiliated organisations.*

Since we reported to conference in Spring 2021, we have made significant progress in some areas, and have much work still to do in others.

FPDC works with the Campaigns team to enable and support local party officers, with the tech team to ensure the systems we provide to volunteers are suitable, and with the membership team to recruit, retain and engage members.

The campaigns team have revamped the information available on our website to help Local Party Officers and are exploring a strategy to better help local parties of all sizes to set development goals and engage their own local members. They recently led on our first Big Build Weekend, where a number of parties found lots of new members and new deliverers, and we'll be working to learn what worked and what could work better as we roll these recruitment and activation events out.

We now have a new Membership Development Officer at HQ, who has been working hard to make membership reporting more useful in our mission to retain members, and we recently celebrated our first month of net growth in membership. Retention of those who joined post 2015 and to fight Brexit remains a challenge - as well as enabling local parties to better engage and therefore retain members, we will soon be starting maraphones to lapsing members to help address this at a federal level.

We've already been sending Top Canvasser badges to our, well, Top Canvassers. In an effort to recognise the many different roles that are crucial



to election success, we've recently sent out our first "Golden Mallet" badges, to those people who erected the most skateboards during the local election campaigns. We'll be continuing to develop a wider range of badges to recognise more of our members' contributions.

The Tech team has made huge progress in fixing our data. The Membership records in Connect are now fully correct, and we have written comprehensive guidance on how local parties can match these to the voter records and enhance this data. We are also well into the transition process for Nationbuilder users to our new website platform Fleet - and by conference many websites will be live on it. Like all our new tech tools, the development process has been driven by user need and user feedback has been essential. We are also rolling out the Connect-integrated Targeted Email, which will make the process of Local Parties sending emails in a GDPR compliant manner much easier.

The training manager has continued to develop training in areas where there are gaps, and the new system is working well to ensure less duplication of effort within HQ teams developing training. More of our online training is now available as recorded sessions for members to watch when they want. A cohesive strategy is being drafted which will provide a strong framework for future training needs including with other training providers, and to develop better feedback mechanisms from training attendees.

A new Diversity Manager has been appointed and is building a network of regional diversity champions. They are also planning our first Diversity Development Day on 3rd December - a virtual event to provide members, especially Local Party Officers, with information, support and inspiration to improve inclusion across the party. Progress on the EEDI plan goals by the working group remains steady, though more volunteers for that group are always welcome.

We've also created a new Code of Conduct for Members and Registered Supporters, which will hopefully be ratified by this conference. This brings together various previous codes into a single updated document. It has been

developed after lots of consultation within the party, and is intended not simply as a list of rules we must follow, but as a values-based document that helps embed positive behaviour throughout the party. If ratified, we will be ensuring that the new Code is communicated throughout the party.

I'd like to thank all the members of FPDC who have been wonderful to work with, in particular our Secretary Abi Bell. And on behalf of FPDC I would like to thank all the staff who have worked on membership, training and diversity - Trudy Church, Nicole Turner, Sian Waddington, Graeme Nutall, Dean Courtney, Chessie Flack, Jon Alwyin and the tech team Katy Perryment, Greg Foster and Charlie Mollinson. Particular thanks as always to Jack Coulson whose support is invaluable.

FPDC is also responsible for assessing new Affiliated Organisations who wish to become official party groups. This year, these new groups have applied and we invite Conference to consider them. Any feedback to the Committee assists us in making a final determination of their suitability.

## **Applications currently under consideration for Affiliated Organisation status**

*Party Groups wishing to become Affiliated Organisations must meet the criteria and follow the process previously agreed by Conference, available here:*

<https://www.libdems.org.uk/f29-f34>

There are three applications in this report. Bodies which were not SAOs or AOs at the time of the creation of 'Affiliated Organisation' status must be reported to Conference before they can be finally approved by the Party.

### **1. Liberal Democrat Friends of Hong Kong**

The Liberal Democrats have a long history of standing up for Hong Kong, and continue to do so. With the recent influx from Hong Kong, Hong Kongers are only gaining significance in UK politics. Though efforts from the Liberal Democrats greatly contributed to pushing the Government to eventually accept BN(O)s, the Conservatives have gained much of the credit. The

Conservatives have, in places, argued that Brexit contributed to our ability to respond to the Hong Kong crisis and are raising membership and resources from the community.

It is very important that we have a Hong Kong specific Party Body to turn the tide back in our favour. The main purposes of our organisation will be: 1) Asylum Policy and Assistance; 2) Community casework; and 3) Assisting Lib Dem local parties.

1. could be politically sensitive. Confidentiality is required to protect them from trolls and harassment. We will ensure at all times to provide confidential and secure support.

Community casework is extremely important, and should be targeted. Many Hong Kongers regard themselves as separate from their neighbours. We look forward to a relationship of good will with other Party bodies.

We have always worked closely with other party bodies. We maintain effective liaison with levels of the party structure. We strongly believe in the promotion of liberal democracy. But our experience tells us, for instance through helping draft the recent Hong Kong motion to Conference, it is important for the Party to have a separate and specific Hong Kong interest group.

## **2. Lib Dem Friends of the Armed Forces**

The Liberal Democrats Friends of the Armed Forces has been going through the process of re-formation and compliance in order to meet the requirements of an AO within the Party. It consists of Party members (including former Service personnel) with an interest in defence and security issues, including the welfare and missions of our armed forces and their families. It encourages an Armed Forces Champion in every constituency/local party, and participation in the public marking of service and sacrifice. It intends to participate in the evolution of Party policy on relevant topics.

It will hold its re-formation AGM at the Brighton Conference, including the adoption of a new compliant constitution and the formal election of a committee (which has been functioning to date in an Acting capacity)

Our defence Spokespeople in the Lords and Commons are honorary Presidents. Honorary vice presidents include MPs and Peers with a special interest in security.

The Acting Chair is Sir Nick Harvey and Acting Convenor/vice chair is Cllr Robin Ashby - Newcastle upon Tyne.

### **3. Operation Social Equality**

Operation Social Equality was founded in 2021 to campaign and represent the interests of those from low socioeconomic backgrounds. Specifically, we want to address the inequality and disadvantage that those from low socioeconomic backgrounds face.

We see that this group is the most disproportionately under-represented group in politics at almost every level. We believe that tackling this inequality provides wide benefits and creates the society that Liberals have called for in the preamble to our manifesto.

We believe that we can address this within the party by encouraging participation and increasing opportunity by levelling the playing field. Practically we are trying to achieve this with three principle aims:

**TRAIN:** Provide training specifically targeted towards supporting those from low socioeconomic backgrounds. We will support members and supporters of the party in accessing positions within the party, getting involved in party activities, taking on party roles and standing for elected positions at every level.

**MENTOR:** We will provide a mentoring scheme that aims to partner members and supporters at various levels in order to provide access to opportunities within the parties and equip particularly those from low socioeconomic

backgrounds to progress within the party, and also provide support through challenges along the way.

**BREAKING DOWN BARRIERS:** We seek to break down barriers to participation for those from low socioeconomic backgrounds. This includes institutional barriers created over years that reduce access and participation.

# **Federal International Relations Committee - Phil Bennion (Chair)**

*The Federal International Relations Committee (FIRC) is responsible for generally managing the Party's relationships with like-minded parties and individuals in other countries and international institutions. It also advises the Party on International issues and supports international collaborations and training.*

We received the sad news on 13th July that our Vice Chair Ruth Coleman-Taylor had passed away in an Athens hospital. She had been in transit to a new home in Greece when she was taken ill. Ruth's pragmatic wisdom will be missed by our international team, as well as by her countless friends and colleagues across the party. She was equally committed to both local and international politics for several decades. Our thoughts are with her family and particularly her husband Mick Taylor, who along with Ruth has been a regular member of our international delegations.

## **Ukraine**

Our most important work since February has been related to the Russian invasion of Ukraine. As FIRC Chair I led the drafting team for the emergency motion on the invasion passed by Spring Conference. We used a Young Liberals motion for LYMEC Conference as a template and Peter Banks and Adam Lawless of YL played a significant role in the drafting, alongside the core team of elected FIRC members. Since then we have met with Kira Rudik, leader of our ALDE sister party Golos on several occasions, both online and in person. I was also able to arrange a meeting between Kira and Layla Moran and Ed Davey at the NLC. I have also maintained a dialogue with Servant of the People, the party of President Zelensky, who also became a sister party at ALDE Congress in Dublin in June. We held a high-level consultation on Zoom with Ukrainian Deputy PM Olha Stefanishyina to ascertain what exactly Ukraine needed from the UK. This engagement with the two leading pro-western Ukrainian political parties has informed our parliamentary team throughout the war.

We have also had the task of dealing with both an ALDE and a Liberal International Congress just 4 weeks apart. Our most important task at each was ensuring that there was no backsliding on condemnation of the Russian aggression or softening of approach. This was achieved with very little difficulty, but it did require a focussed attention to detail in scrutinising and amending texts that were submitted by our sister parties worldwide.

## **ALDE Congress**

At ALDE Congress in Dublin we successfully campaigned for the re-election of Sal Brinton to the Bureau for a 2nd term. After a protracted dispute in the Council meeting over the constitutionality of Timmy Dooley and Ilhan Kyuchyuk standing on a joint ticket, they were eventually elected unopposed as joint Presidents.

Various FIRC and Council delegation members prepared amendments to the motions submitted. We were also authors of motions on Afghanistan (George Cunningham) and the Northern Ireland Protocol (Hannaha Bettsworth), the latter submitted jointly with Alliance and Fianna Fail. I had a brief meeting with Micheal Martin at the instigation of Timmy Dooley to discuss our joint position. Additionally we cooperated in the drafting and co-signed motions with FDP on world trade and co-signed a D66 motion on abortion rights. We had also worked with Green Liberals of Switzerland on a motion on research collaboration across Europe, prompted by the Swiss exclusion from Horizon. Our own threatened exclusion is related to the Northern Ireland Protocol threats from our government. Thanks to Rob Harrison, who was our lead on the drafting, we came up with a joint text which stuck to the advantages of broad cooperation across Europe, including UK and Switzerland. This time the text passed easily.

There was a strong presence at the Congress of the French Renaissance party of President Macron ahead of talks on exploring merger possibilities between ALDE and the European Democrats.

Several of the motions related to European security in the wake of the war with Ukraine. With President Zelensky's party Servant of the People, as well as

Golos, being a full member of ALDE, we saw a strong display of solidarity with Ukraine at the Congress. The resolutions dealt with armaments, sanctions, refugees, and wider effects such as food security. A stand-alone motion on reducing fossil fuel dependence and ensuring energy supply also referred to overdependence on Russia, as well as focusing on the longer-term transition to renewables. There was a clear rejection of any moves which might lead to Putin continuing to occupy the territory taken since February 24th. We also confirmed support for Ukraine, Georgia and Moldova to be promoted to EU candidate status, a decision to be taken shortly by the EU, but accession would remain dependent upon meeting the Copenhagen Criteria.

The motions on European defence and security were not ultimately supported by our delegation, despite containing much that we agree with and having had the elements incompatible with NATO deleted by our own and Swedish amendments. ALDE have just set up a policy advisory group to look at this in detail which will be able to take expert advice on what is required. We have representation on this Working Group with Jamie Stone and Julie Smith sharing the political role and David Chalmers the technical role. The resolutions were very detailed and will compromise this policy process. The two resolutions both passed as expected but with over 40% against.

A notable turnaround in ALDE was the adoption, with 85% in favour, of a resolution from our Italian sister party on biotechnological crops. The Lib Dem policy has never changed since the vote on supporting a moratorium some 20 years ago. Given our official party policy our delegation was allowed a free vote and was entirely in line with the Congress, giving it overwhelming support.

## **Projects with ALDE**

Joyce Onstad, who is an Advisory Board member of The Alliance of Her, which is an expanded version of the former European Women's Academy, attended a Strategic Planning Meeting for 2023 before Congress. The programme is going from strength to strength and this year will be sending a delegation to the UNGA (United Nations General Assembly).



A new Women's Leadership programme was also initiated in Dublin, with Fianna Fail as fundholders and again with Liberal Democrat participation. We asked Liberal Democrat Women to nominate participants in the programme and two were in attendance in Dublin.

Adrian Hyrylainen-Trett attended the meeting to discuss the parameters of a project specifically purposed around the four nations sharing issues, concerns, and best practice around EU negotiations on trade and cooperation agreements. The plan is that Swiss Green Liberals will put together a project plan to be shared with ourselves, Norway and Iceland and to meet again in the autumn.

### **Rainbow Event**

Alongside 33 of our sister parties, Baroness Brinton, David Chalmers and Adrian Hyrylainen-Trett signed the Dublin Diversity Declaration on behalf of the Lib Dems, which aims to support and encourage greater LGBTQI+ political representation at all levels of government. Sal in her speech to Congress reaffirmed our party's commitment to diversity and indeed the LibDems will be running an LGBT+ focused training programme throughout the summer for senior officials from many of our sister parties in Eastern and Central Europe.

### **Liberal International Congress**

The LI elections were a success for us as I was elected as a Bureau Vice President, Adrian Hyrylainen Trett was elected to the Human Rights Committee, Jonny Oates and Imad Ahmed to the Climate Justice Committee and George Cunningham to the Fair Trade Working Group, which was upgraded to full committee status during the Congress. A FIRC objective was to have someone on each Committee to maximise our engagement and this was achieved. . Robert Woodthorpe Browne was also adopted as a Patron of Liberal International, an honorary position reserved for individuals who have given years of service to the cause of liberalism.

At the Congress, the Liberal Democrats drafted 2 resolutions, one on Afghanistan and one on Open and Free Societies. Thanks to George Cunningham for leading the drafting process. We also contributed to drafting a resolution on the Changing Global Trade Landscape led by the FDP. Additionally we proposed two urgency resolutions which I drafted after requests from other member parties, one directly on the emerging global food crisis and a second on the related issue of fertiliser availability due to the dominant market position of Russia. All of these resolutions were passed without any hostile amendments. We also drafted extensive amendments to The World Today resolution, adding text on parts of the world ignored in the original. Significantly, we amended the text on Russia to remove calls for a cease fire on the basis that it would solidify Russian territorial gains and was opposed by our Russian sister parties in ALDE, who are not yet members of Liberal International.

The Ukrainians were present at the Congress as both Kira Rudik and her deputy leader in Golos were active participants and will hopefully apply for membership. We also presented the Prize for Freedom to President Zelensky.

The African delegates jointly made the case for European trade deals with Africa as a partial remedy for the current geopolitical crises. Africa has natural resources and available Labour and is much closer to Europe than China. Europe has the technology and business knowhow.

## **Bilateral Meetings**

We have held bilateral meetings this year with D66 and VVD of the Netherlands and Nasa Stranka of Bosnia Herzegovina. The latter were concerned about pro-Russian activity in Serbia and their own country.

## **Lib Dems Abroad**

LDA have given evidence (George Cunningham) to parliament regarding the extension of the franchise amongst expats, making suggestions regarding easing the problems of returning postal votes in time and improving representation for overseas voters. They remain an anomalous group, having

local parties that belong to no state party, but are currently working on proposals in conjunction with FIRC and the Federal Board. They have also started work on how to connect with overseas voters when the next general election takes place.

## **FIRC Changes**

The relationship between FIRC and Federal Board will change at the end of 2022, with FIRC no longer being represented. As the International Relations Committee, before we became a Federal Committee, was a sub-committee of the Federal Executive, some of the powers related to FIRC responsibilities still lie with the Board. We have proposed a short business motion after consultation with the President, Secretary and the Board to iron out the anomalies. Our line of reporting was changed at Spring Conference, so that FIRC now reports directly in person to Conference, rather than via the Board. We are also asking for two additional directly elected members to replace voting members of the Committee lost to Brexit.

## **Federal Audit and Scrutiny Committee - Helena Cole (Chair)**

*The Federal Audit and Scrutiny Committee (FASC) commissions and oversees internal audit work related to the work of the Federal Party, as part of which it oversees the Party's risk management operations and its Risk Register. It is also responsible for commissioning the Party's auditors.*

Over the past 6 months since the previous report to Federal Conference the Federal Audit and Scrutiny Committee has continued to work with the CEO on the recommendations of the Thornhill report and to examine and challenge the risk register on a quarterly basis.

The Committee was pleased to work with the new auditors to examine the annual accounts and noted that financial controls are still in a good place with no major audit points.

Following a review of the complaints process the committee were pleased to note that the changes made at the previous conference had made a big difference and the central team were much improved. Some small recommendations of further tweaks were sent to the Federal Board.

# Parliamentary Reports

## The Commons - Wendy Chamberlain MP (Chief Whip)

Conference, it is once again my honour to submit the most recent Parliamentary Party Report for the House of Commons. I want to note thanks to the FCC for their organisation of the first physical conference since Bournemouth 2019 - a lifetime ago. Over the last few years, the Committee has done great work in challenging circumstances to ensure the party mechanics press onwards, even if online. I would like to reiterate this sentiment and recognise all the staff in LDHQ who have worked tirelessly in this regard, and those who support the Parliamentary Party in their endeavours all-year round. My colleagues and I, and the wider Party, would simply not be able to represent our constituents without you. As always, I want to thank MP's staff, both in Westminster and in our local areas, who always go above and beyond to support our work for those we represent, no matter the political weather or the challenges of the day. I would like to thank my colleagues in the House of Lords who, via the detailed scrutiny of this government's grim legislation, continue to be a key arm of the Parliamentary Party. Finally, after a fantastic set of local elections in May, I want to thank campaign teams across the country, Lib Dem Councillors and parliamentarians in Scotland and Wales. We have made brilliant gains this year and we can build on this momentum and the next GE, whenever that day comes.

Conference, every time I have written a report for our convenings, I have announced another MP who has joined our ranks! First, Sarah Green, followed by Helen Morgan. Now, it gives me great pleasure to introduce Richard Foord MP, the new representative for the Southwest seat, Tiverton and Honiton. A natural, Richard has already made a name for himself in the Commons by getting involved in proceedings on his first day - and I'm not just talking about his swearing in ceremony. He noted the adjournment debate on

ambulance services and insisted that he participate. Unfortunately, we had to inform him that due to the rules of the House, an MP cannot make a normal speech in a debate until they have completed their formal maiden speech. He had to settle for an intervention and called for a community ambulance fund, much to the gladness of the attending MPs and Speaker, who congratulated him on a bold "maiden intervention". Since, Richard has made his maiden speech and is using the current summer recess to focus on his constituents and set-up his local office. I look forward to working with Richard when we return from the recess period.

Since my last report, the government has fallen into further shambles. The shock announcements of Cabinet resignations eventually forced Boris Johnson to commit to leaving No.10 by September, and parliamentary business for the final few weeks before summer recess completely collapsed. Resignation after resignation demonstrated the sheer fragility of parliament, as Bills were left in limbo state without any Ministers to carry them through, and Committees had to postpone indefinitely when the Tory Whips could not even reach quorum for simple procedures. The PM lost the confidence of his MPs and it is anyone's guess as to what happens next.

For ourselves, we have also had an internal reshuffle yet not nearly to the same dramatic extent as the Conservatives. The changes are thus:

Alistair Carmichael continues as Home Affairs spokesperson, but is swapping Political and Constitutional Reform for Justice, which compliments the Home Office brief - and he keeps Northern Ireland. The government is doubling down on their Bills which seek to limit protest rights, which is a central focus for us. Wera Hobhouse will no longer be covering Justice or Women and Equalities, but will be taking on Transport to compliment her existing brief of Climate Change and Energy. She takes Transport from Sarah Olney, who will now be Treasury Spokesperson in addition to her duties with BEIS and a member of PAC. Again, this is a complementary role and the impact of the cost-of-living crisis is going to be a priority. As a result, Christine Jardine will be passing on the Treasury role to take on key responsibilities in light of the announcement of a potential Scottish independence referendum, taking on

the Scotland portfolio in what looks to be a turbulent period ahead. She also takes on the Women and Equalities brief and the Cabinet Office.

There is no change for some of our MPs; Munira Wilson and Daisy Cooper continue with the core responsibilities of Education and Health respectively. Layla Moran maintains the Foreign Affairs and International Development brief as we press on in a challenging geopolitical situation in Ukraine, and Tim Farron keeps DEFRA duties in tandem with his rural constituency. Tim also currently sits on the Levelling Up Bill Committee.

I am happy to announce that our newest MPs will be taking up roles of their own. Sarah Green will be taking on International Trade and her home nation of Wales. Helen Morgan takes DLUHC and, come October, Jamie Stone will be passing on Defence to Richard Foord MP to focus on his existing DCMS brief. For myself, I remain Chief Whip, keep DWP, and currently sit on the Public Order Bill Committee.

Ed Davey – Leader

Daisy Cooper – Deputy Leader/Health

Wendy Chamberlain – Chief Whip/DWP

Alistair Carmichael – Home Affairs/Justice/Northern Ireland

Tim Farron – DEFRA

Layla Moran – Foreign Affairs/International Development

Christine Jardine – Scotland/Women and Eq./Cabinet Office

Wera Hobhouse – Climate Change and Energy/Transport/Leader of the House

Jamie Stone – DCMS

Sarah Olney – Treasury/BEIS

Munira Wilson – Education

Sarah Green – International Trade/Wales

Helen Morgan – DLUHC

Richard Foord - Defence

## **Staffing Changes**

The Whips Office continues to be headed by Matthew Smith. Sadly, our Deputy, Peter Munro, is moving on from his role and I want to thank him for his work and advice during our time together, especially when I took over the Chief Whip role. The new Deputy will be appointed over the summer.

In the PST, Chimere Nwosu departed from her role and Rebecca Grubb is new in post. Emma Stevenson and Toby Davis continue in their roles within the team.



## **The Lords - Ben Stoneham (Chief Whip)**

The Queen's Speech in May heralded the start of a new parliamentary session. There are many big and controversial pieces of legislation, some of which have already started in the Lords. The Government has been employing somewhat unusual tactics to try and paper over what, in many cases, is very bad legislation. Two good examples of this are the Schools Bill and the Procurement Bill (see details below).

I am, as always, very grateful to our Parliamentary Party in the Lords who ensure that we more than pull our weight during proceedings, whether on legislation or on the many important issues that are given time for general debate and questions.

At the time of writing, we wait to see whether Liz Truss or Rishi Sunak prevails in the Tory leadership race. We think it likely that the Government leadership in the Lords will change, but we do not yet know to what extent the legislative programme may change with the new Prime Minister.

### **Leadership and party whips**

Dick Newby and I continue to serve as the Leader and Chief Whip respectively, and we are well-served by Joan Walmsley and Navnit Dholakia as Co-Deputy Leaders. We also have a 8-strong team of whips, supporting me and the Whips' Office in our work, and I am very grateful for everything they do.

### **Legislative work**

#### *Procurement Bill*

The Procurement Bill reforms the UK's public procurement regime following Brexit. Public procurement accounts for a third of all public expenditure at around £300 billion every year.

Despite a lot of consultation ahead of the Bill being introduced, between Second Reading and the Committee stage of the Procurement Bill the Government brought forward nearly 350 amendments to change its own Bill.

Chris Fox protested vigorously at the government's contemptuous treatment of Parliament in this way and threatened to block every single one of the 342 amendments at Committee stage.

Following cross-party protests, the Government has slowed the progress of the Bill, with Committee stretching into the September sitting, and possibly beyond.

The team on the Bill – including William Wallace, Chris Fox, Jeremy Purvis, Paul Scriven, Kate Parminter and Sal Brinton – are focused on issues such as conflicts of interest and ensuring that the Covid PPE procurement scandal cannot happen again.

### *Schools Bill*

The Schools Bill was intended to underpin the Government's plans to improve the school system, but instead the Government's intention appeared to be to grant itself huge, sweeping powers to set standards in Academies by regulations.

As regulations receive very little parliamentary scrutiny, this represented a significant shift of power from Parliament to the Government.

There was heavy criticism of the government on a cross-party basis, including every previous Education Minister in the Lords, not least on the Conservative benches, and our own Dominic Addington.

These cross-party efforts paid off, with the Government agreeing to remove the first 18 clauses from the Bill.

The Lib Dem Bill team – Mike Storey, Dominic Addington, Sue Garden, John Shipley and Sal Brinton – also championed the role of local government in education throughout the course of the Bill.

At Report stage we tabled an amendment to extend free school meals to the children of all parents in receipt of Universal Credit. Sadly, this amendment was not carried, with the Conservative Party in the Lords voting against it and Labour abstaining.

### *Energy Bill*

Robin Teverson is leading our response on the Energy Bill, highlighting the importance of Net Zero at the heart of Government policy as well as making the case for more onshore wind and the need to protect vulnerable consumers from the rising costs of energy.

### *Higher Education (Freedom of Speech) Bill*

William Wallace made the liberal case for freedom of speech while criticising the Government's unnecessary and cack-handed approach in this piece of legislation.

### *Product Security and Telecommunications Infrastructure Bill.*

In this Bill, Tim Clement-Jones and Chris Fox are focusing on the need for consumer standards, Parliamentary scrutiny and the rights of affected landowners.

### *Social Housing (Regulation) Bill*

Dorothy Thornhill and Kath Pinnock welcomed this long overdue bill, but raised the need for more action on the lack of social housing, as well as the need for the regulator to have a role in reducing homelessness. Kath continues to raise the plight of tenants and leaseholders affected by the cladding and building safety crisis.

### *UK Infrastructure Bank Bill*

Within this Bill, Susan Kramer, John Sharkey and Robin Teverson have emphasised the central role of climate change, alongside the need for increased transparency and parliamentary scrutiny.

## **Peers and staff**

We remain an active group of 75+ but were deeply saddened by the death of David Chidgey back in February. The victor of the famous 1994 Eastleigh by-election, David was a true parliamentarian during his time in both the Commons and the Lords and was campaigning in both the chamber and the media right up until a month before his death – his last campaign being the preservation of chalk streams.

As ever I would like to extend my thanks to the staff in the Lords team who support us so well in our work. I am also very grateful to the Parliamentary Adviser Unit, the Parliamentary Support Team and the party's press office and communications teams for all the support they give us.

# Reports from Federal Bodies

## Liberal Democrats Ltd - Mike Cox (Chair)

In common with many political Parties, the Federal Party is registered as an 'Unincorporated Association' for company regulation purposes. Since 1988 we have also maintained a non-trading 'Limited Company' structure, 'Liberal Democrats Ltd.' (The Company), registered in England (Company number 02231620). Where needed, the Company allows us to enter into formal legal contracts (e.g. office leases) which require an 'Ltd.' structure. The records of the Company are available from Companies House.

The full responsibilities of the Company are set out in Article 9.5 of the Federal Constitution. The Directors delegate operation of the Party's Legacy Fund to the Federal Finance and Resources Committee.

Over the past year the Company has continued to fulfil its corporate and Party duties as well as its legal obligations with Companies House. The currently serving directors of the Company are myself as the Chair of the FFRC (myself), the Party President (Mark Pack), and Party Vice President (Amna Ahmed) responsible for working with ethnic minority communities (Amna Ahmed). Jack Coulson also acts as Company Secretary.

# Campaign for Gender Balance - Candy Piercy (Chair)

*The Campaign for Gender Balance (CGB) exists to develop and support women interested in standing for public office within the Liberal Democrats.*

The Campaign for Gender Balance has had an extremely busy six months since the Spring Conference.

Candy Piercy says “I would like to pay particular tribute to Julia who has continued to shoulder a great deal of work for CGB whilst fulfilling her commitments at the new Mayor of Richmond Borough.

“She has also helped keep CGB running whilst I have been managing very challenging family health problems this summer.”

Despite the important round of May elections and the Tiverton & Honiton by-election we have been providing mentoring support for women waiting for approval and Parliamentary selections, all through 2021.

CGB Vice Chair Julia Cambridge led our Candidate Approval team to considerable success helping many women get approved as parliamentary candidates. We are very proud to be supporting women candidates with a number of protected characteristics. Our commitment to supporting intersectionality is one of the CGB defining values.

CGB chair Candy Piercy has led the team providing support to women applying for selection in specific seats, including Parliamentary by-elections. We are very happy with the overall success rate and some excellent women have been selected. However, we are concerned that it is getting harder for candidates to be selected who do not live in the seat they are applying for.

We are still very concerned about the number of excellent women who have stepped back from political activity as a result of the Covid pandemic. However, we are heartened by the number of excellent women who have got involved in politics as a result of their experience during the pandemic, who are now setting out on their political journey.

We anticipate a large workload supporting women candidates standing for selection over this Autumn and Winter after the notable run of by-elections successes.

CGB Chair Candy Piercy has been working with Daisy Copper MP and RDC Chair Ade Adeyemo to identify and support diverse candidates who want to apply for target seats.

Unfortunately, because of logistics issues we have not been able to run a Future Women MPs Weekend yet this year. We are hoping to identify a date by this Autumn Conference.

At Spring Conference 2022 we ran a full programme of online training modules which were well attended. We were looking forward to a larger programme at Autumn Conference. Unfortunately, the conference hotel has very limited space so we are only about to run six sessions this year.

# **Racial Diversity Campaign - Ade Adeyemo (Chair)**

The Racial Diversity Campaign (RDC) supports ethnic minority members to become approved candidates, be selected, and win elections.

The Lib Dem Racial Diversity Campaign (RDC) was formally launched in early 2019 and the Executive comprises three members.

The current Executive members are as follows:

Chair: Ade Adeyemo

Vice Chair 1: Julia Ogiehor

Vice Chair 2: Christopher French

We are pleased to confirm that Christopher French has been chosen as our new Vice Chair. Chris replaces Cllr Josh Babarinde OBE, whom we must congratulate for his selection as the Liberal Democrat PPC for Eastbourne & Willingdon.

## **RDC Progress Update**

The first half of 2022 was a quiet one for the RDC, primarily because all of our executive and most of our candidates were involved in tightly-contested local elections.

Our focus for Q3-4 2022 will be on.

Members going for Candidate Approvals

Candidate Selections for remaining 'Tier 2' seats as well as 'Advanced' and 'Development' seats.

Improved Coordination with the Liberal Democrats Vice President, Amna Ahmad, and supporting he projects to improve party engagement with ethnic minorities.



We are pleased to confirm that ethnic minority candidates have been selected in three of the 16 'Tier 1' Lib Dem target seats, namely:

- Eastbourne and Willingdon – Cllr Josh Babarinde OBE
- Hitchin and Harpenden – Cllr Sam Collins
- Carshalton & Wallington – Councillor Bobby Dean

We do not currently have information about candidate selections in 'Tier 2' seats. Selections in these seats are now largely complete, with only 7 remaining that have not yet commenced candidate selection.

Clearly, one of our main challenges must now be candidate selections in 'Advanced' and 'Development' seats. Bearing this in mind, our priority for Q3-Q4 is to assist ethnic minority candidates who are seeking selection in these seats.

In addition to the above, we are also revamping our training modules and developing new ones to ensure that appropriate training is in place for candidates.

Formalisation of RDC procedures is also a priority. This will assist our mentors and volunteers, as well as candidates, ensuring that information and training are current, appropriate and of the highest possible standard.

# The Complaints Process - Neil Christian (Lead Adjudicator)

*The party's independent process is created under Article 23 of the Federal Constitution and the three state parties - England, Scotland and Wales - have all also decided to participate in it*

1. This report to conference is made in order to comply with the requirements set out in the Complaints Procedure and Guidance:

## *Part 4 – Administration*

*Para 2. Reports to Conference The Lead Adjudicator shall submit an annual report to each autumn Federal Conference which shall include for each year:*

- *information on the numbers of Complaints;*
- *the number of Party members suspended;*
- *the number of cases appealed to the Review Panel and the Appeals Panel;*
- *the number of cases ongoing and the number concluded;*
- *the number of concluded Complaints which were dismissed, referred back for additional information and referred to a Panel;*
- *the average number of days taken to conclude each complaints process;*  
*and*
- *the sanctions imposed, if any, in each concluded case.*

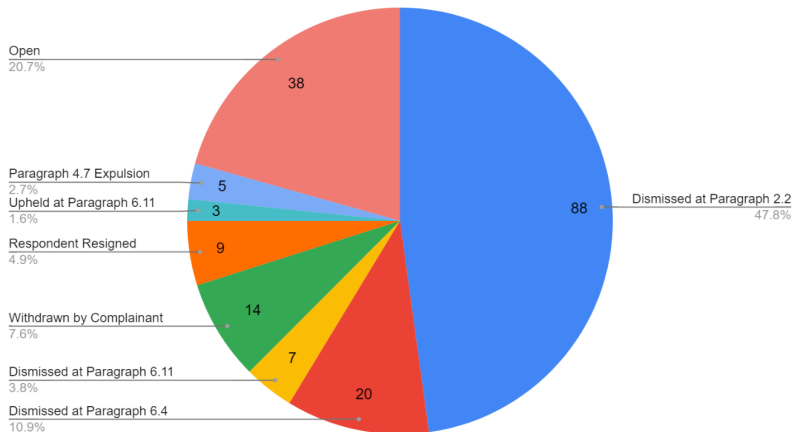
2. Please note that there have been two changes to the Complaints Procedure and Guidance that have come into force this year. Firstly the rules were redrafted and came into force 20/09/2021. Thereafter there were minor amendments to the rules that came into force 13/03/2022. Both following approval by Conference. Each draft of the rules is available on the Federal Website. The statistics set out below will refer to New Process (NP) which indicate cases received on or after 20/09/2021 and Old Process (OP) indicating cases predating this date.
3. Further, it should be noted that during the last year we have moved to an online case management system that has been long awaited. Training has been required and new working practices implemented. On the

whole the transition has been smooth and the system has improved the process for users and administrators.

### Number of cases dealt with this year:

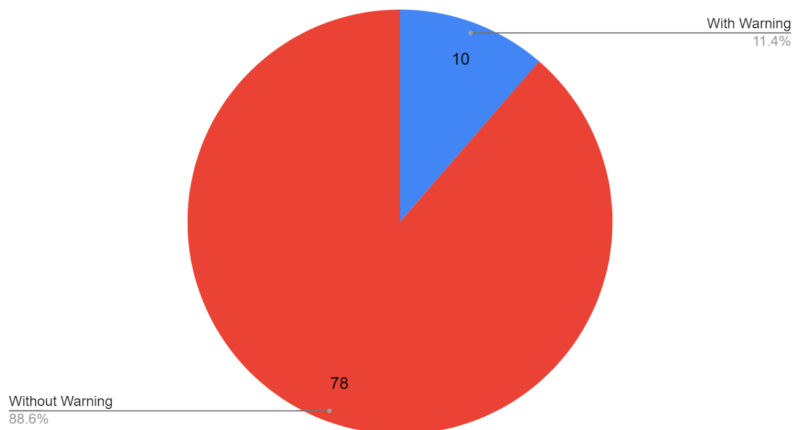
- 4. The number of complaints received this year to date have been 184 (NP). 141 of those cases have been closed, with 133 dismissed and 8 being upheld. 10 of the dismissed cases received warnings.

**Breakdown of Case Status (184 Cases)**

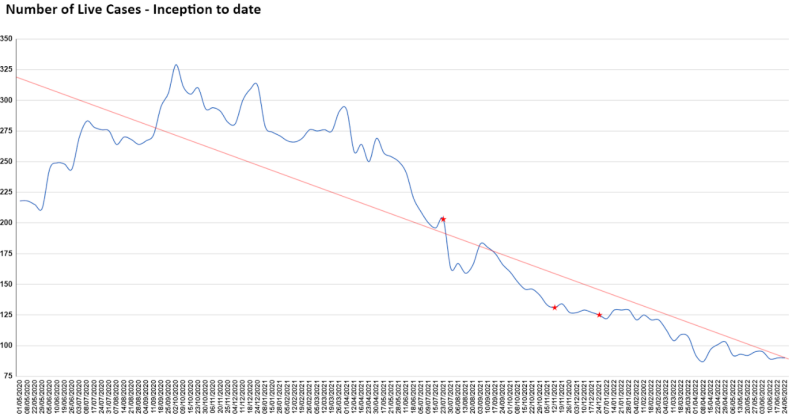


- 5. This chart shows dismissals under paragraph 2.2 at the initial stage in the complaints process and the number of those issued with warnings.

**Number of Dismissed Complaints (88 Cases)**

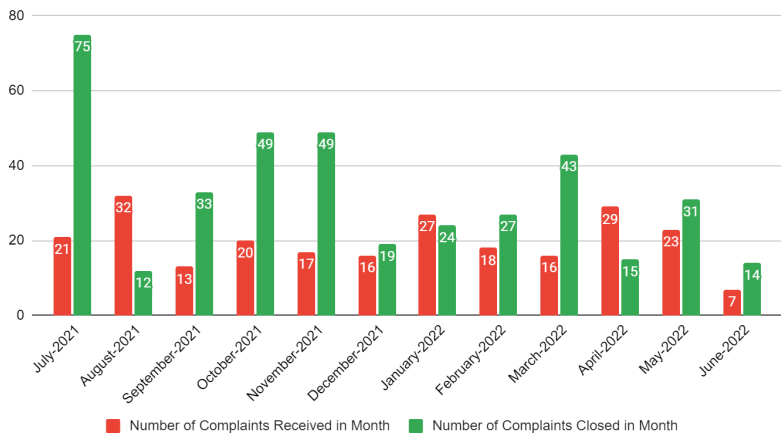


- 6. Under the old procedure 68 cases are still progressing.
- 7. There has therefore been a 58% reduction in live cases since the end of the second quarter of 2021.
- 8. The Chart below sets out the number of cases in total the complaints process has been dealing with since we were established. The trajectory is a decrease in live cases which reflects the effectiveness of the redrafted rules and new case management system in managing to resolve cases more quickly and efficiently. I would also like to thank the Standards Office Staff and all volunteers involved in the process for their hard work in resolving disputes and complaints under this process and bringing cases to conclusion over the last year.



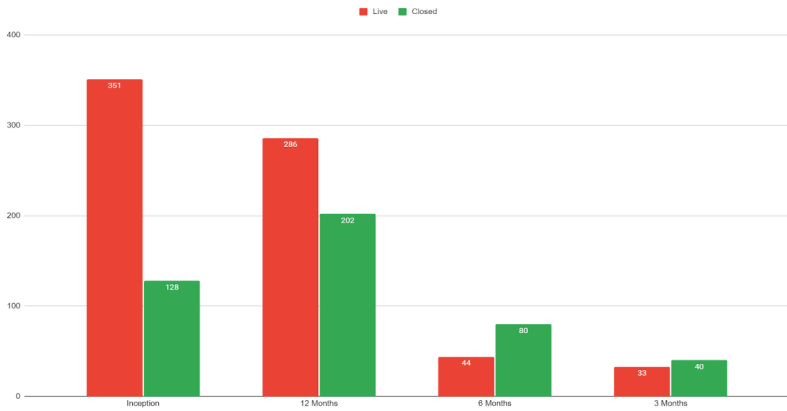
- 9. This bar chart (overleaf) compares the open cases to closed cases on a month by month basis over the last year. It includes cases concluded under both OP and NP.

Open vs Closed Complaints by Month since 01/07/2021 (OP & NP)



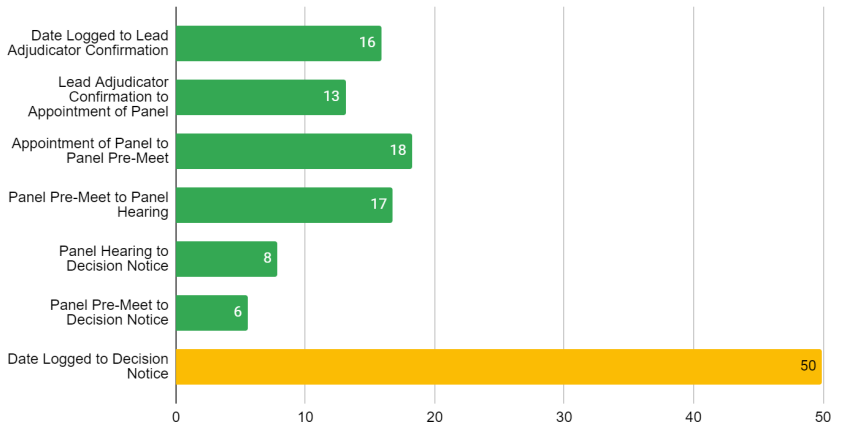
10. This bar chart (overleaf) sets out the average duration for a complaint in days. It shows a marked improvement in the speed in which complaints are being resolved in the last 12 months (NP cases). Most cases are now being concluded within less than 56 days. It should be noted that a number of OP complaints remain open and have not been resolved. Last year the problem in concluding these cases were largely resource based. Now the majority of these OP cases are either paused awaiting legal action or police investigations to conclude, or have been reopened following successful appeal.

Average Age Duration (days) - Live v Closed Cases



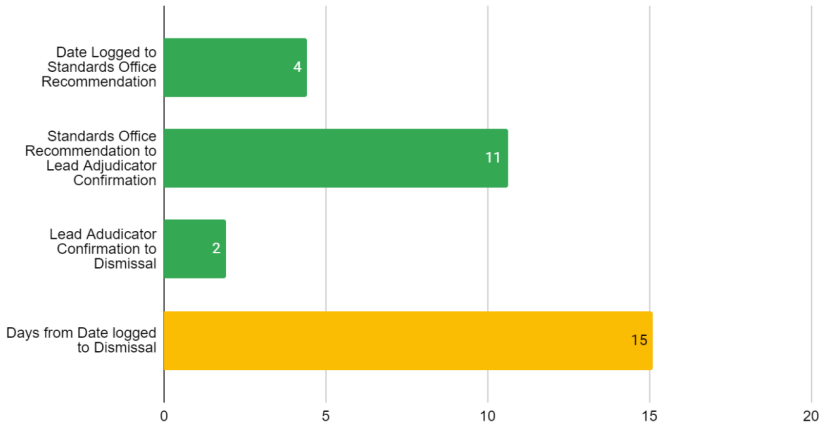
11. In this chart we have gone into more detail regarding the NP cases and the average length of time between various stages in the process of a complaint that is accepted and processed.

**Average Number of Days Between Stages for Complaints that Progress to Panel (NP Only)**



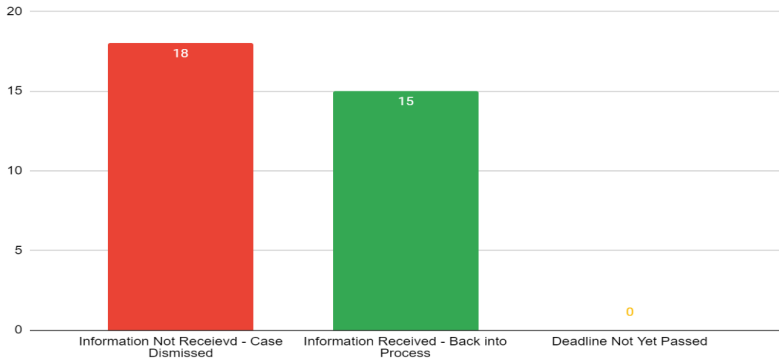
12. Here we set out the average length of time taken to close a complaint that is not accepted.

**Average Number of Days Between Stages for Complaints that are Dismissed (NP Only)**



13. At the initial stage of a complaint under NP rules there is a mechanism for the Standards Office to request further information. In this Chart we set out how many cases have had such a request made. Such requests delay the progression of a complaint. We have made efforts to inform complainants of the need to properly evidence their allegations at the earliest stage however this chart suggests that complainants are still submitting complaints with insufficient information and evidence. A number of complainants have not provided further information leading to their complaint being dismissed.

### Number of Complainants Asked for More Information (33 Cases)

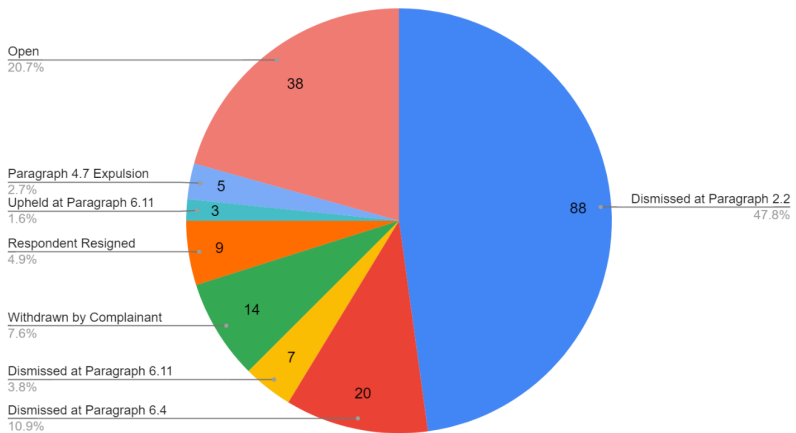


### Sanctions imposed

14. The New Process has fully concluded 146 Complaints in the last year. Of these cases eight have been upheld by a panel.

- 10 complaints were dismissed with warnings
- 5 complaints led to expulsion based on a criminal conviction
- 7 complaints led to expulsion following a Panel hearing
- 1 complaint led to an apology being requested
- Complaints closed because the respondent resigned from the Party before the Complaint reached a conclusion totalled 9.

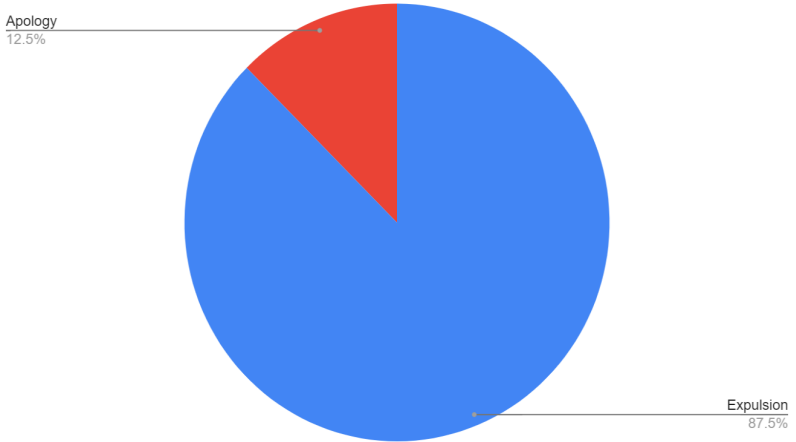
### Breakdown of Case Status (184 Cases)





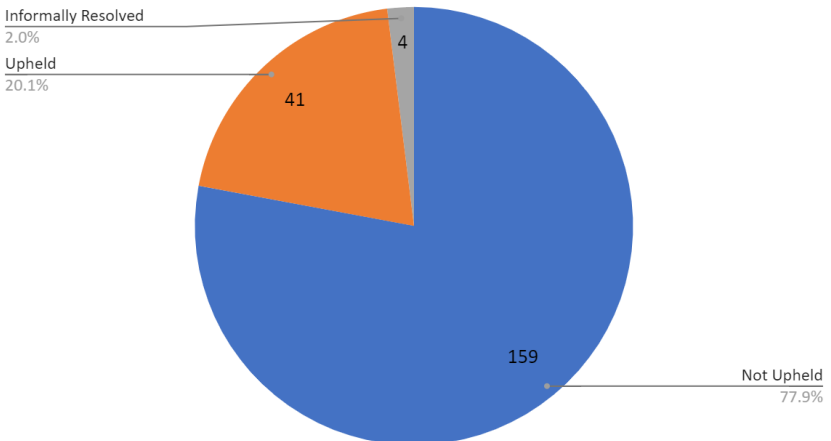
15. Of the complaints upheld by panels, 7 have resulted in expulsion from the Party and 1 has resulted in a demand for an apology.

### Sanctions Imposed (8 Cases)

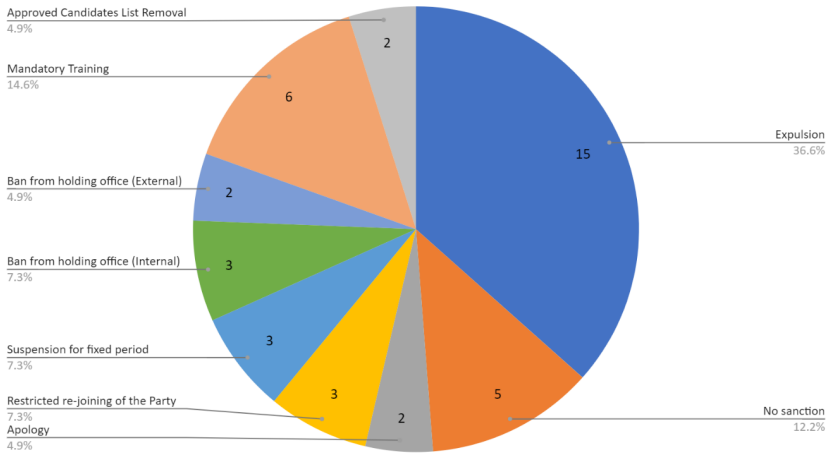


16. In relation to OP complaints this year 20% of the cases dealt with were upheld and 2% informally resolved. Sanctions imposed in upheld cases are set out in the second chart.

### Outcomes of Closed OP Complaints (204 Cases)



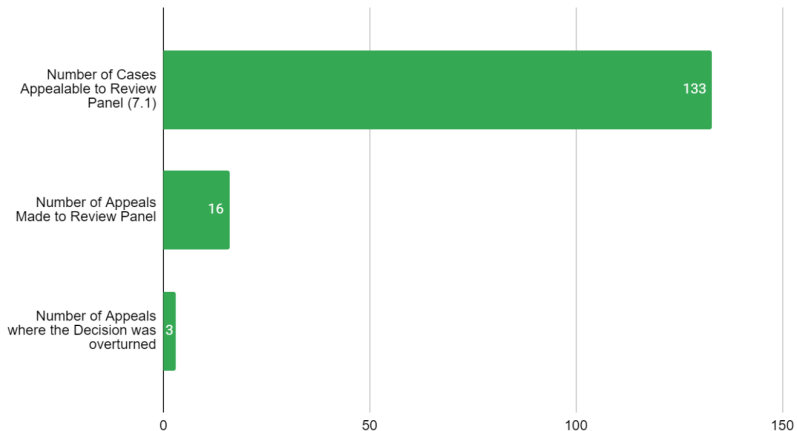
### Sanctions Imposed (41 Cases)



### Appeals:

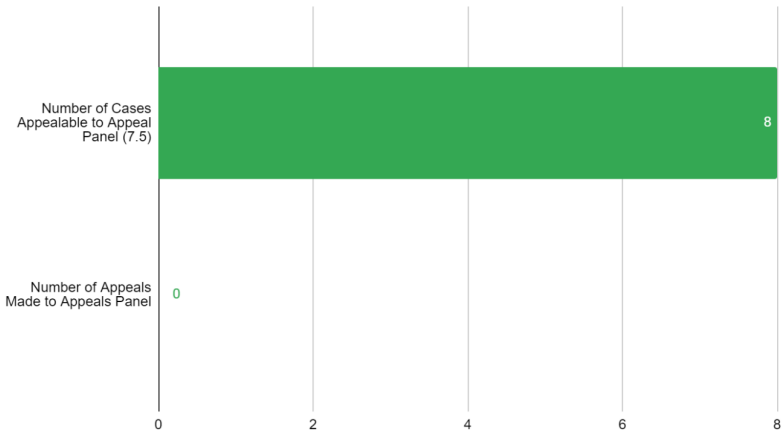
17. With regard to appeals. There have been a total of 133 NP cases. In the chart below it can be seen that 16 have appealed an initial dismissal decision by the Lead Adjudicator and the review panel have upheld 3 of these appeals.

### Review Panel Appeals (Appeals against 'Dismissal' ruling)



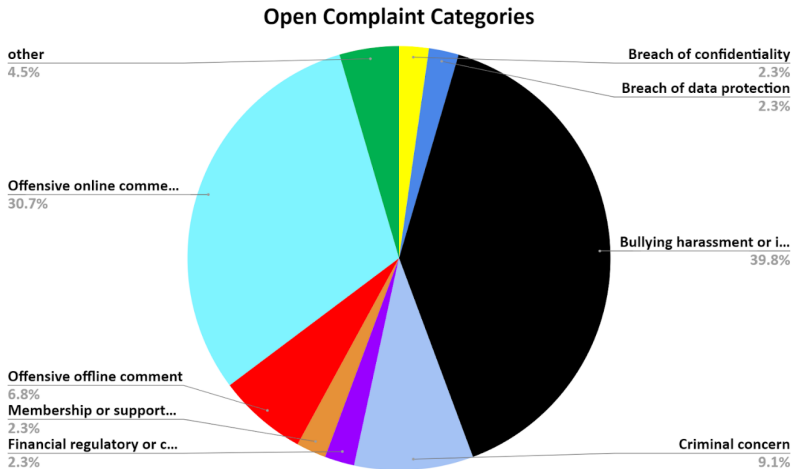
18. Regarding appeals following a panel decision, no cases have been appealed.

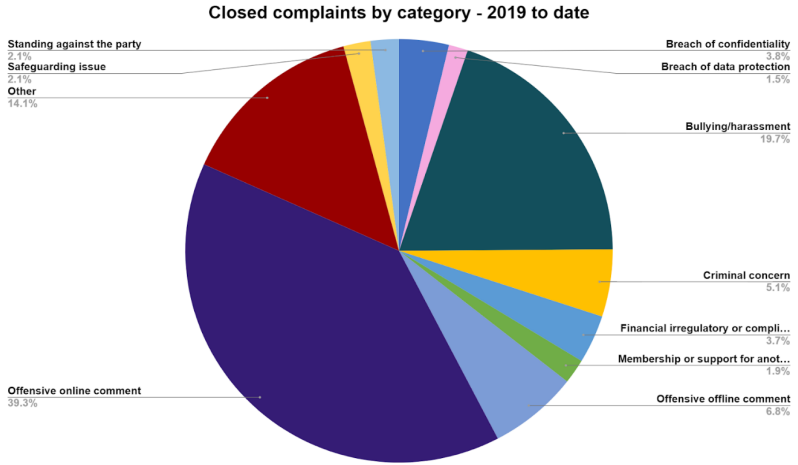
### Appeals Panel Appeals (Appeals against 'Upheld' ruling)



### Categories of Complaints:

19. Although not required it is probably also helpful to provide the following information regarding the category of complaints received. Online behaviour continues to be the basis for a large number of complaints, as do allegations of bullying and harassment.

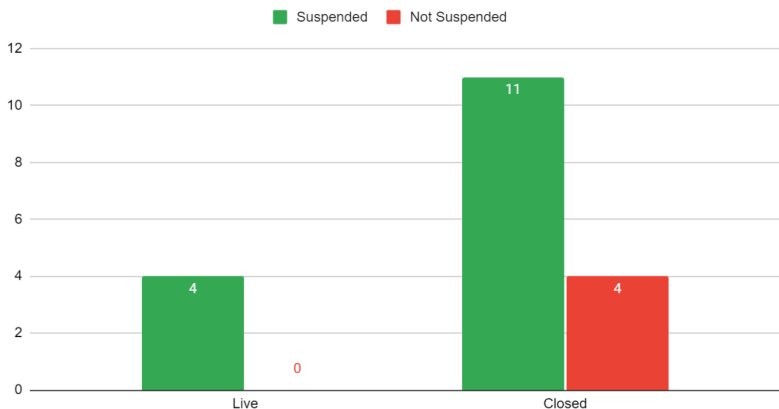




### Interim Suspensions:

20. Here I set out the number of members whose complaints were considered for interim suspension whilst their complaint was considered. The Senior Adjudicators Team has been asked to consider 19 cases and suspended members in 15.

### Senior Adjudicators Team Suspension Considerations (Number of Members)



# Updates from State Parties

## England - Alison Rouse (Chair)

### INTRODUCTION

The political situation has changed dramatically over the last months, with the fall (we hope) of Boris Johnson and the Conservatives swift descent into infighting over their leadership, which will result in either the ex-Chancellor or Foreign Secretary from the Johnson government replacing him, having spent two months rubbishing his government's record.

While it was ultimately one sex scandal too many that seems to have overwhelmed Johnson, we can reasonably think that our stunning victory in Tiverton & Honiton contributed somewhat to focusing Tory minds on Johnson "no longer being a winner" but rather a liability.

Both candidates for Prime Minister have pledged to serve out the remaining two years of this Parliament, and while we take this with a hefty pinch of salt it does seem a little less likely that the outcome will be followed by a General Election this autumn. But anything could happen.

### FINANCIAL POSITION

Membership income for the first half of 2022 is lower than we expected. Part of this is due to the lag in membership numbers behind income with more people going into the "at risk" category in May/June than anticipated. I will come back to this later in this report.

After the Federal Levy (at 55% of English Budget) and regional and local rebates, costs remain broadly in line with expectations, however, there are some incoming costs that make things much tighter than they were looking in May. Our expectation is that we will be broadly on budget by the end of the year, with the savings netting off the lost income.

We aim is to protect the funds which the English Party give to other functions within the Party: G8 Funding (which local parties can apply for), the rebate to Regional Parties, plus both the Federal Levy and Service Level fees which we pay to the Federal Party to cover the business services and staff support that we require to deliver our responsibilities.

## **2022 BUDGET REVIEW**

The English Finance and Admin Committee (EFAC) has conducted an initial overview of the financial position of the state party. They concluded that for the year to May, our actual results have matched closely with our projected budget, with perhaps a little leeway in our favour.

However, we have also been warned about some potential incoming costs that would, regrettably, wipe out any savings in the budget so far. The committee has therefore deferred a decision on whether we can give more direct financial help to regions this year until we have an update from the Federal Party.

## **2023 BUDGET**

Following an officers' meeting with CEO Mike Dixon in May and ongoing discussions with the Party's Financial Officer, we have had a first meeting between the Federal Party and the State Parties about setting the budget for 2023.

On this basis we are looking at agreeing to a 2023 budget that is essentially the same as 2022 in cash terms.

We realise that, with inflation running at around 10% and potentially having to stretch the build-up towards the next General Election for another year or so, a budget that only gives the same cash presents challenges. There are two big ways to counter this:

1. Work on member retention – reaching out to members that are “at risk” of lapsing.
2. Recruitment of new members

The English Party's main income is from membership fees, so when membership numbers rise, the increased fees turn into more cash going to you.

If you follow the link below you can find details of the Membership Incentive Scheme, including what you need to do to claim a new member who has joined due to work on your part, but done so through the main Party site.

<https://www.libdems.org.uk/membership-incentive-scheme>

## **MEMBERSHIP**

Membership of the Party in England as of July 2022 is beginning to stabilise after a lengthy period of falling, during which the "Brexit surge" of 2019 reversed.

However, we need to keep a close eye on the "at risk" members. Because of the three-month grace period, there is a lag between the member income falling and the membership numbers going down. In a lot of cases, we can get these members to rejoin by talking to them, so do please encourage your local parties to follow up the emails from the Membership team.

To help, State Treasurer, Richard Flowers, has:

- Worked with the Young Liberals to supply them with a list of their members who are at risk, so that they can also reach out to members.
- Downloaded lists of "at risk members" by region to send to Regional Chairs. It is up to Regions how they address this, whether it is by organising a regional member-phoning day, by reaching out to their local parties to see what help they might need to contact their members themselves, or other ideas you might come up with.

Please do share any successful ideas so that other regions can try them too.

## **ENGLISH CANDIDATES**

### **Selections**

All Advanced Seats have completed their selections, with Moving Forward seats on target to complete their selections before Autumn Conference.

In the event of a snap General Election, we have little time to get candidates in place if they are not already. Our rules cover this by giving Regional Candidates Chairs the power to appoint candidates to seats. We have asked our RCCs to consider how they would implement this now, so that we are ready to roll immediately if there is a snap General Election.

### **Candidate Diversity**

As well as regularly reviewing our processes, we also regularly analyse the data that we get from selections to see where things are working well or identify any areas of concern we need to address.

For example, we met with LDCRE in a meeting where we discussed candidate diversity at distinct stages of the process – from application to assessment through to selection. Our data shows that for instance, where at least one BAME candidate applied, at least one BAME candidate was shortlisted. In five seats, more than one was shortlisted. This is already better than what a ‘Rooney Rule’ would have produced.

Sadly, our data shows that there seems to be an issue when it comes to the selection stage and local parties voting for BAME candidates when they are shortlisted.

To address this, it was agreed that we needed a change in culture rather than a change to the rules. Previous experience showed that when we insisted on having a woman on shortlists, if a committee was told it had to shortlist one, they quite often only shortlisted one because that was what they had been told to do.



So, cultural change is required, which makes our efforts to get local parties to work on membership diversity even more important.

### **By-Election Selections**

By the time you read this, selections should be completed for both Tamworth (after the demise of Chris Pincher) and Uxbridge & South Ruislip - in case Johnson gets a recall petition, changes seats, or decides to do something else that we cannot predict.

As well as our general watchlist, we are keeping an eye on three other seats which may become vacant because of a resignation due to the incumbent being on the honours list.

### **Approval process**

Although it seems that both Tory leadership candidates have ruled out an early General Election, chatter when Johnson stepped down has produced a surge of applicants for approval. Applications are being processed in order of receipt.

To speed up the approval process, we have separated out the Policy test and made it an online one. Candidates complete this to be eligible for a place on an assessment day.

We have worked with Scotland and Wales on a modification to the online policy paper procedure which will enable all three states to continue to use the same approval process (and allow any approved candidate to apply for Westminster selection anywhere in the UK).

### **Training**

We will run three open training sessions at Autumn Conference (People Behind the Scenes, All Inclusive, Selecting your Westminster Candidate), plus a double session to train more Assistant Returning Officers. Chessie Flack is also organising a media training session for candidates, with the assistance of the Press Office.

## **Candidates' Office**

Workload has substantially increased in the last few months, and we obviously need to be in a robust position if there is a General Election. Rachel, our Candidates' Officer, continues to be highly effective and we recognise that the increase in workload requires an increase in staff support. We are therefore in the process of recruiting a member of staff to support both the Candidates' Office and the English Party administration functions which are crucial for the running of the state party. We will be advertising this role soon – it may be live already by the time you read this. This has the added advantage of freeing up David Allworthy (who many of you may know) to focus more on important legal and compliance work.

A big thanks to David whose support has been invaluable.

## **Returning Officers**

We are training an increasing number of Returning Officers and Assistant Returning Officers to meet demand. An increasing number of our existing team have undergone the refresher training and as English Candidates Chair, Margaret recently ran a session training fourteen returning officers in one go (which I think is a record).

On a personal note, I would like to thank Margaret for the heroic amount of effort that she has put in as a volunteer this year. We have got to the point that there is a race in the English Council Executive as to who is going to reach Margaret first and say, "I'm sorry Margaret, there's ANOTHER by-election".

## **REGIONAL PARTIES COMMITTEE**

Where the independent complaints process addresses issues with individuals, the RPC holds responsibility for addressing complaints regarding groups.

We have a small number of outstanding cases with individuals that we were barred from passing over to the independent system as they were already in progress.

With the exception of appeals, (and at time of writing – July 2022) the Regional Parties Committee is down to its last six disciplinary cases:

Three of these are on hold because they are sitting with an organisation external to the Party, such as the Police, or being subject to court proceedings – unfortunately, no matter how long it takes, we have to wait to conclude our process until after they have concluded theirs.

Three cases are in progress; however, we are having to wait for final confirmation that we can proceed with them due to other circumstances.

## **Other Work**

As you may or may not be aware, the other function of the RPC is to share, advise and support with best practise when it comes to Local Parties and Regions addressing challenging or complicated matters with groups or processes.

We prepared the new election regulations for the Liberal Democrats in England. This update was required to ensure that our regulations reflected the changes to the Federal Election Regulations made at Spring Conference. They also reflect decisions made at English Council in December 2021 and the wish of the English Council Executive to restrict employees from standing for some roles as to do so would cause a conflict of interest. These were passed by English Council on 2nd July.

Our other work this year so far has included:

- Adjudicating on an application for membership at the request of a region
- Providing advice on tithing and on standing candidates
- Looking at pastoral care and data protection issues

We have been involved in advising a number of regions about disciplinary issues in council groups and local parties and helped a number of individuals with technical advice about disciplinary complaints and appeals.

## **ENGLISH PARTY PROJECTS: “INVESTING IN REGIONS”**

We are at the start of the annual review process for the Regional Development Officer program and will be sending out questionnaires to regional chairs to describe how their RDOs have been working. We will want to know that the key diversity and outreach aspects of the role are being delivered.

There have been some particular successes where the extra staffing time funded directly by the Party in England has certainly made an impact. We will be reporting back on these once we have completed our series of meetings with your Regional Chairs. Having useful case studies where the extra staff time has made an impact on your ability to deliver results (like we have just seen in the locals) will be a real help as topics to communicate with your members about and perhaps some fundraising.

## **ENGLISH PARTY PROJECTS: “INTERN TO LEARN”**

We are looking at the creation of an intern program that can be rolled out across the regions to build up a bank of qualified experienced people to work in and for your local parties and constituencies.

The Young Liberals are really on board to support this program, as it offers an excellent route of personal development within the Party, and we wish to extend thanks to the Western Counties for sharing their intern program documentation so that it can be a basis for best practice.

## **SERVICE LEVEL AGREEMENT**

We now have a working Service Level Agreement with the Federal Party – a big thank you to those members of the HQ Staff who really pulled extra shifts to get this over the line. As a result of our negotiations over 2021 & 22 (and for the first time since 2017) we now have an agreed service contract with the Federal Party & HQ.

Part of the English Party’s role is charmingly termed “Plumbing, maintenance and sewage”, work that is not immediately visible, but very noticeable when

not done. The support covered by the service level agreement is crucial to the English Party being able to deliver on this part of our role.

This new agreement is backed up by a new accountability process and route for complaint.

The Federal Party have agreed to report in to the state party via our finance committee on a regular basis regarding the SLA and their performance against it. There may be times, i.e., if there is another by-election or a General Election is called, where either side do not have the time or capacity to complete something in line with the agreement. By adopting this process, we ensure that both sides have their expectations managed effectively. It reduces the chance of an unexpected service failure or cost occurring (only reduces – this is politics after all) and means we can all be flexible and dovetail our activities in the face of changing priorities or needs.

Truly working as one Party to deliver as laid out in Baroness Thornhill's report.

Enjoy Conference!

## **Scotland - Jennifer Lang (Convener)**

This is my first report to Federal Conference since taking over as Convener of the Scottish party in January. My thanks go to Sheila Ritchie as the previous convener, and other out office bearers and committee members.

The new team of Office bearers and Scottish Executive have been working with Alex Cole-Hamilton as leader to develop a five year strategy plan for growth. This plan is currently being finalised and will be launched at the Scottish Autumn conference later this year.

We have had a successful period of fundraising which has meant that following the recent local elections, the Scottish Party was able to run a fully funded campaign and build up reserves for future elections and potential by-elections. We shall continue to focus on fundraising going forward, and investing in campaigns earlier.

### **Scottish Parliament**

Alex Cole-Hamilton, working with a new team of spokespeople, has launched three comprehensive policy packages to give new hope for the climate emergency, health and young people.

Parliamentarians have led debates at the Scottish Parliament to support sufferers of long Covid, demand extra measures to help with the cost of living crisis, and expose the Scottish Government's failure to give communities core connections including lifeline ferries.

Ours was the only party to consistently oppose illiberal covid passports which the SNP/Greens introduced for six months. The MSP group also opposed the budget because of the £250m real-terms cut to council budgets and the lack of movement on our priority areas including social care and the cost of living.

### **Independence**

The SNP/Green Government has announced its preferred pathway for its bid to break up the UK. The Supreme Court will consider in October whether the

Scottish Parliament has the power to hold a non-binding consultative referendum. If the Court says it doesn't then both parties have said they will seek to turn the next General Election into a single issue 'de facto' referendum.

Scottish Liberal Democrat MSPs were elected to the Scottish Parliament with a cast iron mandate to oppose a second referendum at every stage and will take pride in continuing to honour that. Brexit has shown us what happens when you break up a successful economic, social and political union. Breaking up the UK would be even more catastrophic.

Our parliamentarians believe that the Scottish Government must focus on what really matters right now, including the cost of living crisis, record long NHS waiting times and the climate emergency.

### **Future Leaders Programme**

We have launched the Scottish Liberal Democrats, Future Leaders Programme, where 12 Scottish Liberal Democrats across Scotland will become the first cohort to be part of a year-long training, development and mentoring support programme to help this next generation of leaders to become the next group of MP's, MSP's, Council Leaders, Councillors, Office Bearers. Unlike previous training courses before it, this is a year-long programme of self-development which will invest in those taking part and take us forward in building our capacity and success right across the country.

### **Local elections**

We celebrated the party's big gains at the local elections as the party took 87 seats, up 20 from 2017 and more gains than any other opposition party. With victories from Cambuslang to Caithness we won in seats that we haven't held in decades showing we are able to make gains across the country. With a revival in local government we are confident this will be our springboard to even greater success in 5 years' time. We are also intending to fight every by-election that comes up so everyone has the chance

## **Candidate Audit/volunteer capacity**

As indicated in our constitution, we are required to carry out a review of approved candidates. We are in the process of completing this in order to be in the best position possible in advance of the next General Election. In order to make this happen we are running a volunteer recruitment drive to make sure we have enough returning officers, assessors and markers to carry out all this work as swiftly as we can.

## **Policy**

Policy Committee has been working on motions for autumn conference, including a motion to suggest a Scottish replacement programme to the Erasmus scheme. The current Welsh model will assist in shaping this motion. Additionally, we are in the process of preparing a motion on the issues facing Scottish agriculture as a result of Brexit.

We are currently organising a major membership engagement programme, with three online roadshows scheduled for the month of August. Each roadshow will focus on a specific area of policy and will include a short presentation from the relevant party spokesperson. There will be scope for members to raise other issues which they consider priorities. The three specific topics will be health and social care, education and the cost of living crisis. Following the roadshows, all members will have the opportunity to complete a questionnaire structured in the same way as the roadshows. This will ensure that every member has the chance to contribute to the policy debate.

The work of the committee going forward will centre on the outcome of the roadshow and questionnaire programme.

## **Conference**

We will hold our first in person conference since the start of the pandemic, on 28th-30th October in Hamilton, and we are very much looking forward to gathering together.



## **Membership**

The last year has seen a membership drop off in Scotland which, although slightly less pronounced than seen elsewhere in the UK party, is nonetheless concerning. Steps are being taken to reverse the decline and the 2022 so far has seen a slight stabilisation in figures, there is still work to do before the situation improves.

## **Finance**

2022 fundraising efforts have seen one significant success in Scotland, with other base income targets being hit. The one success is ring-fenced to be spent only on efforts to fight the SNP across Scotland, and has therefore been allocated to specific projects with this clear purpose and intent to ensure that the donors can be kept up to date with what their investment has been used for.

Elsewhere, the cost of living crisis and increases in gas, electricity and supplier costs has had an impact on Scottish funds, however this is currently within tolerance levels.

Outlook is stable, with the underlying structural losses being offset with the improved fundraising, however further work is required to ensure that the income streams are made more stable and less dependent on one-off impulsive donations.

## **Wales - Paula Yates (President)**

Since the last Federal Conference, the Welsh party has realised some but not all the goals for 2022 contained in its strategy. It fielded more local government candidates than it has for several years, though unfortunately there were still two local government areas in which no candidates were put forward. We consolidated our position in two local authorities and made significant gains in one. Liberal Democrats are now the largest single party in Powys and have formed a progressive partnership agreement with Labour. Less successful were the Welsh party's attempts to increase capacity. The goal to identify and train individuals who would take responsibility for different campaigning areas in at least the most active local parties was largely not achieved and there are still too few people doing too much. Capacity remains a serious issue in Wales and, with no planned elections in Wales next year, growing membership and developing activists is a priority. Westminster candidates are being put in place in key seats.

In line with the agreed strategy, a very useful consultative meeting has been held with key activists and local party officers to discuss our strategic approach, in the light both of the local election campaigns and results and of the plans for Senedd reform. The strategy will be reviewed in the autumn cycle of committee and Welsh Board meetings and presented to the Welsh Conference in October. Meanwhile work continues on encouraging local parties to develop local plans for growth.

The Welsh party has suffered a significant loss in the departure of our CEO, Claire Halliwell, for a politically restricted post in local government. Her energy and skills have made a huge contribution to the party in Wales and we really miss her and want to record our immense thanks to her for all she has done. We hope to make a new appointment in the very near future. I can report that we have successfully replaced the two members of campaign staff that we share, one with the federal party and one with ALDC. Both staff members are relatively new but are working hard to develop strong working relationships with local parties and council groups.

The Welsh party continues to work on the recommendations of the 2020 O'Carroll review. Highest priority is being given to developing a clear vision for Wales, compatible with but not identical to that of the federal party. This work is being headed up by our leader, Jane Dodds, assisted by a small working party. Further plans are being developed on diversity and on governance and administration. The review of regional committees, mentioned in my last report to Conference, has been made redundant by the planned Senedd reforms and the question of the continued usefulness of formal regional groups will be considered as part of the strategy.

Internal elections to Welsh party officer posts and committees are planned to take place in the autumn so that one of the tasks for the present incumbents will be to ensure that the progress that has been made in Wales is passed on clearly and cleanly to any new officers and committee members.

# **Report from the Federal Appeals Panel - David Graham (Chair)**

## **Introduction**

The Federal Appeals Panel (FAP) is established under Article 22 of the Federal Constitution and adjudicates over a variety of disputes which are within the jurisdiction given by Article 22.3.

The FAP acts as a safeguard to ensure that bodies act within the limits assigned to them by the Federal Constitution, and the rights of members under the Federal Constitution are respected. It therefore plays an important role in maintaining good governance within the Party and in ensuring that disciplinary processes are fairly and properly conducted.

The FAP is made up of 18 members – 9 of whom are elected by the Federal Board and confirmed by Conference, with 3 being elected by each State Party. Members of the FAP are all volunteers. The Chair of the FAP is elected by the Panel from amongst the members elected to it by the Federal Board. The FAP is there to protect the rights of Party Members and is directly accountable to Conference.

The Chair of the FAP is required by Article 22.6 to publish an annual report to Autumn Conference, containing the Panel's procedures, all its decisions on the interpretation of the Constitution and a summary of its other rulings since its last annual report.

## **Personnel**

The Panel has been unable to manage its workload as it has not been at its full strength during the last year. In particular, there are currently only 6 active members of the FAP owing to other commitments, illness or resignations. Of these, one has to combine her role with chairing the English Appeals Panel (being appointed ex officio by the English State Party to the FAP) and so understandably faces difficulties in discharging both commitments. I have requested that the Federal and State parties advertise for additional volunteers. I have also suggested that State Parties reconsider internal rules or practices whereby members of their own appeals panels are appointed to the FAP, because the workload for them is onerous.

## **Performance statistics**

At the date of the last report to Autumn Conference, there were 11 cases pending. Since the last report, 12 cases were finally determined with a thirteenth determined provisionally under rule 7.5 subject to a right of appeal to the full Panel that expires shortly.

The Panel currently has 20 cases pending, one of which has been paused whilst related legal proceedings against the Party take their course. Excluding that matter, the current mean duration of pending matters is 6 months and the median waiting time is 5 months. These figures are well in excess of our target to finally dispose of matters within 3 months, and represent a significant deterioration in performance. The main reason for the delay is the insufficient number of available volunteers to manage and hear cases.

Of the matters finally determined, 5 were dismissed at the permission stage because they did not disclose a realistically arguable case. Two cases were dismissed following a Case Panel hearing. Five cases were upheld on the basis of written representations, without a hearing being required, because something had gone straightforwardly awry with the decision-making process.

One additional matter – a challenge to the result of the vice-presidential election – was heard and determined by the Chair of the FAP in his capacity as returning officer under the election regulations. The challenge was dismissed.

## **Published procedures**

The published procedures adopted by Conference in 2021 appear to be operating well, and are reproduced as Appendix 1 to this Report.

## **Constitutional rulings of the FAP**

On 22 July 2022, the Chair issued a decision as to the compatibility of the Standing Orders for Federal Conference with the Federal Party Constitution under rule 7.5 of our published procedures. This ruling is still, at the time of writing, subject to the possibility of an appeal to the Panel. In brief, it was found that the absence of a procedure in the Standing Orders for 'reference back' of Reports did not render the Standing Orders incompatible with article 6.5 of the Constitution but that the constitutional right conferred on Conference to consider to do so must be given effect to by the chair of the

relevant Conference session if so requested by members until such time as a detailed procedure was drawn up. It was also found that the provision in the Standing Orders for approval or rejection of part of a report was within the scope of article 6.5 of the Federal Party Constitution. The text of the decision is set out at Appendix 2 to this Report.

## **Other rulings**

The following is a summary of the other rulings issued.

### Article 23 complaints

- In *Hayes v Adjudicator* and *Hollinghurst v Adjudicator*, a decision by an adjudicator to summarily dismiss disciplinary complaints was set aside. The adjudicator was found to have misinterpreted the definition of 'disrepute' in the then-applicable Complaints Procedure, applied too high a threshold for 'risk' of disrepute, and considered irrelevant factors such as a complainant's alleged motivations rather than focusing on the alleged conduct of the respondent.
- In the case of *Seabourne v Adjudicator*, a challenge to the procedure adopted by an adjudicator was dismissed as it was premature: where no disciplinary ruling had been made, the subject of a complaint was entitled to object to the procedure before any adjudicator appointed to investigate the case, or complaints panel considering the adjudicator's report. There was also a challenge to a decision to summarily dismiss a cross-complaint by the appellant. The FAP found that the decision had regard to the extraneous factor of the complainant's motives for making the complaint when the initial test was focused on the gravity of the alleged misconduct, and that the complainant had not been given a fair hearing before his motives were impugned.
- In *Öpik v Complaints Panel & others*, a disciplinary decision was set aside because the investigative procedure then applicable had not been followed, and the respondent had not been aware of the time and date of the hearing.
- In *Senior Adjudicators' Team v Complaints Panel & Others*, the FAP allowed an appeal against a disciplinary sanction (lifetime ban on holding internal or external office) which was found to have been manifestly excessive in relation to the wrongdoing (a mildly insensitive and patronising comment on social media). The complaints panel was found to have focused on extraneous matters such as the respondent's perceived beliefs and

attitudes, rather than focusing on the gravity of the offending conduct itself.

- In *Dudhill and Andersson v Complaints Panel*, the FAP set aside a complaints panel's decision on sanction ('unconscious bias training') because it was not rationally related to the intentional misconduct that had been found proved in the case. The case was remitted back to the panel for reconsideration.
- In the case of *Brown v Complaints Panel*, an appeal against a disciplinary sanction (requirement to make an apology) was dismissed. There was found to be no arguable failure of process or reasoning in the complaints panel decision.
- In *McGuffie and Eden*, appeals against complaints panel decisions were dismissed without a hearing because no serious defect in procedure or reasoning was considered to be arguably disclosed by the written material.
- In *Scott v Complaints Panel*, an appeal against a disciplinary sanction (reprimand and a requirement to undertake training) was dismissed because there was no arguable case as to a serious error of process or reasoning; the sanction was found to be within a reasonable range.
- In *Paynter v Complaints Panel*, an appeal against a disciplinary sanction was dismissed. The underlying complaint related to admittedly unauthorised disclosure of a confidential e-mail. The FAP found that the appeal had been brought out of time and there was no good reason for that delay. The contention was that the Complaints Panel's hearing had been unfair because cross-examination had not been permitted, and the appellant had been ambushed by the issue of the impact of the release of the e-mail. The FAP found that the impact of the breach of confidentiality was a matter that obviously should have been anticipated to come up at the hearing, and the procedure had been fair. It was also found that the impact of the disclosure was only one of 2 independent reasons for imposing the sanction, such that the outcome would have been the same in any case.

## Other matters

- In *BLAC Liberal Democrats v English Candidates Committee* an application alleged that failure by the English State Party to adopt a 'positive action' selection rule that had been promoted by the applicants meant it was not in compliance with article 19.4G of the

Federal Party Constitution because it did not 'secure adequate representation of groups with protected characteristics within the meaning of the Equality Act 2010'. The application was dismissed without a hearing because the adequacy of rules for representation of different demographic sub-groups was a political question for democratic rule-making bodies within the Party, and whether to undertake positive discrimination, where permitted under the Equality Act, was a discretionary matter for those bodies. The question had been conscientiously considered in a reasonable way, and it was not for the FAP to dictate that the English Party adopt a particular rule.

- The Chair of the FAP dismissed a challenge by Ms Juliet Makhpila against the result of the election for Party Vice-President responsible for working with ethnic minority communities. The complainant had come fifth. She complained about delays by staff in approving her nomination forms; a delay in being told who had nominated her for election; a failure to circulate the final copy of her manifesto; staff delays in approving Facebook posts on a Party group page and some refusals to approve such posts; and allowing a post by another candidate to be posted in that group's page. It was found that the evidence did not demonstrate that delays or errors in administration had been materially worse for the complainant than for any other candidate, so as to breach staff neutrality. It was found that some of the complaints were unfounded or outside the Returning Officer's jurisdiction, and that it had not been proven that any of the matters complained of rendered the outcome unsafe.

## **Conclusion and thanks**

For the reasons discussed above, it is imperative that the Panel be returned to full strength so that all matters may be determined within reasonable timescales.

As ever, I would like to thank my colleagues on the Panel for their work as well as the Party staff for their endeavours supporting the work of the Panel.



# **Federal appeals Panel report Appendix I - Procedures**

## **A: MISSION STATEMENT**

The Federal Appeals Panel (“FAP”) exists under Article 22 of the Federal Party Constitution to resolve internal disputes falling within Article 22.3.

The FAP acts as guardian of Members’ rights under the Federal Party Constitution, and is accountable to Federal Conference which is the sovereign representative body of the Party.

The FAP shall make its determinations with integrity. Its members shall be impartial and independent from the parties to any dispute, executive bodies, officers or staff of the Party.

In discharging its duties the FAP shall act in accordance with the principles of natural justice; and shall be accessible, transparent and expeditious.

Where appropriate, the FAP shall encourage mediation; where necessary, it will make firm decisions by proper process.

In dealing with any complaint the FAP shall have regard where relevant to the general law of the land including standards of due process protected by Article 6 of the European Convention on Human Rights.

## **B: OFFICERS OF THE FEDERAL APPEALS PANEL**

There shall be a Chair of the Federal Appeals Panel elected in accordance with Article 22.1.

There shall be 2 Vice-Chairs, approved by the FAP. The Vice-Chairs may exercise the functions of the Chair under the Rules of Procedure where the Chair has requested this, or in the event that the Chair is unable to fulfil their functions.

There shall be a Registrar of the FAP approved by the FAP, and there may be one or more Deputy Registrars. The Registrars shall normally be employees of the Federal Party. The Chair of the FAP shall consult with the Chief Executive of the Party in relation to any such appointment and either the Chair or one of the Vice Chairs of the FAP will sit on any selection process for a new Registrar.

## **C: RULES OF PROCEDURE**

### **1. General Principles**

#### *Overriding objective*

1.1 The overriding objective of the FAP in the application of its procedures and in the interpretation of its procedural rules shall be the resolution of disputes justly, fairly and proportionately. It shall in particular have regard to the desirability of the following factors:

- A. ensuring that the parties are on an equal footing;
- B. resolving disputes expeditiously;
- C. promoting amicable settlement of disputes;
- D. saving costs, effort and FAP resources;
- E. ensuring that its procedures are accessible, simple and easy to understand or participate in;
- F. enforcing compliance with its rules, directions and rulings.

1.2. The parties to FAP proceedings are required to co-operate, both with each other and with the FAP, to assist the FAP to further its overriding objective.

1.3 At all stages the parties' duty of co-operation shall extend to making a reasonable search or check for, preserving and supplying relevant evidence to the other parties and to the FAP where this tends to undermine their own case or assist the case of another party, bearing in mind the grounds that the FAP will consider.

1.4 The FAP shall actively manage cases so as to further the overriding objective. It may in particular, upon the application of the parties or on its own initiative:

- A. identify the issues that it requires to resolve and the parties it will hear;
- B. exclude issues or evidence from consideration;
- C. determine the order in which issues will be resolved;
- D. stay proceedings, adjourn or bring forward hearings;
- E. combine or split up sets of proceedings;
- F. encourage or assist the parties to settle the dispute informally;
- G. give procedural directions and set timetables;
- H. proceed without the participation of a party if that party has failed to attend or co-operate;

- I. make use of technology; and
- J. adapt, vary or waive compliance with any of its own time limits or procedures if and to the extent necessary in the interests of fairness or justice in a particular case.

1.5 The FAP cannot vary any procedure or non-extensible time-limit which is fixed by the Federal Constitution. Nor can it extend any time limit for appealing to it which is contained in a rule compatible with and duly made under the Federal Constitution, which confers jurisdiction upon it in a particular case.

#### *Entry into force and transitional provision*

1.6 The FAP shall follow these Rules, which shall replace the previous set of published procedures, from the date of their adoption by Conference.

1.7 Where matters are pending at the date of adoption, decisions made under the previous published procedures shall remain effective, as if they had been authorised by these rules. However, these rules of procedure shall apply to govern the handling of pending matters from the date of adoption.

#### *Interpretation*

1.8 References to article numbers are to article numbers in the Federal Party Constitution (and to those articles as subsequently amended or renumbered). Unless the context requires otherwise, the singular includes the plural and vice versa, and words of one gender include all persons.

1.9 Text in square brackets does not form part of these Rules of Procedure and is included for guidance or information only. It may be updated or removed administratively by the FAP in the interests of clarity. If articles of the Federal Party Constitution are renumbered, the cross-references in these Rules may in the interests of clarity be updated administratively by text in square brackets to refer to the new numbering, without being re-confirmed by Conference.

## **2. Lodging an Application**

2.1 Any party seeking a ruling from the FAP ('the Applicant') must lodge their request ('Application') with the Registrar, on any relevant application form published on the Party website in accordance with any guidance published by the FAP.

2.2 If the request for a ruling impugns a particular act, omission/default, ruling or decision by a person or body, the application form must be lodged within 6 weeks of the act, omission, ruling or decision that is challenged. The Case Manager may extend this time limit in exceptional circumstances.

[The Case Manager is the member of the FAP who initially reviews and manages the case, appointed under rule 3.3 below.]

2.3 If an Application is brought in accordance with a provision of the Constitution setting a shorter time limit, or a provision of constitutional subordinate rules or regulations setting a shorter time limit, the application or appeal must be made within that timescale.

[The Article 23 Complaints Procedures approved in 2019, the Presidential Elections Regulations and the Leadership Election Regulations set 14 day time limits for appeals to the Federal Appeals Panel. It may be open to parties to argue whether time limits are constitutional.]

2.4 The Application must indicate clearly and concisely:

- A. who the Applicant is, their State Party and their contact e-mail address;
- B. which ground of Article 22.3 of the Federal Party Constitution is alleged to give the FAP jurisdiction;
- C. what the dispute relates to;
- D. in the case of a reference from a State Appeals Panel, the issue that has arisen and the necessary context;
- E. any act, omission/default, ruling or decision which is being challenged or appealed; its date; and the person(s) or body who made or were responsible for it and the Applicant is alleging were at fault or in error;

[E.g. the complaints panel that made a ruling the Applicant wishes to appeal. Note: this person is likely to be the First Respondent to the application or appeal.]

- F. any other person(s) or party body whom the Applicant considers particularly affected by or interested in the outcome of the

Application and their contact details, where known;

[E.g. the complainant, prosecuting party and respondent will be affected by an appeal against a decision of a complaints panel. These persons may be Respondents to the application or appeal]

- G. if the request for a ruling is made after the relevant deadline, any application to extend time which must give an explanation and good reason for such extension;
- H. any procedural directions that the Applicant would like the FAP to make, with an explanation why;
- I. what ruling(s) the Applicant would like the FAP to make;
- J. the grounds for the Application (i.e. why the FAP should make the ruling(s) sought); and
- K. any other details specified in any relevant form or guidance published on the Party website from time to time.

The Applicant must include a copy of any decision that is challenged and any relevant notes or official minutes of this, as well as any other supporting materials or evidence specified in the FAP's relevant form or guidance.

### **3. Administration of Applications received**

3.1 The Registrar shall acknowledge the date of receipt of the Application. They may check that any Application is in a form which is both coherent and acceptable to the Applicant, and may request further information in order to identify whether the FAP has jurisdiction and who the appropriate Respondents may be. If the Application appears to be out of time and this has not been addressed, the Registrar may so inform the Applicant who may be permitted a further 14 days if they wish to make representations as to why time should be extended. In the case of an appeal from a decision, the Registrar shall ensure that the FAP has a complete set of the material before the person or body who made that decision.

3.2 Where a party or prospective party to an Application is not a member of the Party (for instance in the case of an appeal from a complaint by a member of the public), they may before being permitted to participate in the proceedings be required to consent in writing to the jurisdiction of the FAP; to

keep information received in connection with the proceedings confidential, use it for the sole purpose of participation in the proceedings, and delete or destroy it when no longer necessary for that purpose; to the handling of their data by the Party; and to be bound by these rules.

### *Case Manager*

3.3 The case shall be allocated by the Chair to a person designated as Case Manager, who may be their self or any other member of the FAP. The Chair may designate Case Managers and permit cases to be allocated administratively to them by a rota or standing arrangements, subject always to the control and discretion of the Chair to allocate any particular case to or away from a particular person in the interests of the efficient management of the FAP or the effective and fair handling of that particular case.

3.4 The Case Manager may:

- A. seek further information from the Applicant;
- B. determine the appropriate Respondent(s), request the Registrar to notify them of the application and request information or invite submissions from them; (c) grant or refuse permission to proceed with the Application in accordance with rule 4; and
- C. determine the procedures to be used, and the issues to be adjudicated, by any Case Panel appointed to determine the case.

3.5 The Case Manager may give informal advice, and may recommend (and, if so, assist) with mediation; however, if the Case Manager conducts an unsuccessful mediation, they may take no further part in the determination of the complaint, and the Chair shall appoint a different Case Manager.

## **4. Permission Stage**

4.1 Once an Application has been lodged, the Case Manager shall consider whether it is within jurisdiction and should be granted permission to proceed.

4.2 The FAP only has the jurisdiction conferred on it by the Federal Party Constitution. It is in most areas of its jurisdiction a tribunal of last resort. It will be careful not to hear disputes which are outside its jurisdiction, including where another remedy exists that has not been exhausted, such as an appeal to a State Party body.

4.3 The FAP will not grant permission to proceed with any Application that is untimely, vexatious, frivolous or insubstantial, not properly arguable on the evidence with a realistic prospect of success, academic, or is made when alternative remedies elsewhere have not been exhausted.

4.4 The FAP will not grant permission to proceed with an Application if it is highly likely the points taken would not have affected the outcome for the Applicant, unless there is some compelling reason why the application should be heard.

4.5 The Case Manager shall determine:

- A. whether an Application shall have permission to proceed to a Case Panel hearing, and in doing so shall consider
  - I. whether or not the case falls within the jurisdiction of the FAP;
  - II. whether the Application is untimely, vexatious, frivolous, insubstantial or academic;
  - III. whether the Applicant has exhausted their remedies elsewhere;
  - IV. whether the Application discloses a properly arguable case; and
  - V. whether it is highly likely that the outcome for the Applicant would have been the same and if so whether there is a compelling reason to proceed to determine the case; and
- B. the timetable and preliminary procedures for that case.

4.6 In respect of any misconduct appeal from the Complaints Procedures set out in Article 23 of the Constitution, the Case Manager will only grant permission to proceed to a determination by a Case Panel where the appellant can demonstrate that it is arguable that:

- A. there was a serious failure of process or reasoning that was likely to render the determination of the complaint unsafe or unsatisfactory in all the circumstances; or,
- B. relevant evidence, which could not reasonably have been adduced at the time of the determination of the complaint, has since come to light which is likely to render the determination of the complaint

unsafe or unsatisfactory in all the circumstances; or.

- C. the sanction determined was manifestly excessive or manifestly lenient in all the circumstances.

[‘Manifestly’ means clearly outside the range of reasonable sanctions. This rule relates to appeals brought under the 2019 Complaints Procedures, which formerly provided for appeal to the Federal Appeals Panel. Note that new Complaints Procedures with effect from 20 September 2021 established a separate Appeals Panel for complaints, whose decisions are final under paragraph 7.5 of those new procedures: see <https://www.libdems.org.uk/complaints-procedure>]

4.7 The Permission Stage is intended solely to sieve out and swiftly determine cases that do not merit a full Case Panel hearing. Respondents will be notified that an application has been lodged, but shall not be required or expected to make any representations at the permission stage. The FAP may however have regard to any representations that are made from Respondents addressing the Permission Stage tests and, where those raise issues that the Applicant has not had an opportunity to comment on, will invite comments from the Applicant where necessary in the interests of fairness.

4.8 A determination by the Case Manager at the Permission Stage is final and binding; it is not subject to a further appeal. It must be accompanied by reasons, which may be brief.

4.9 The target timeframe for determining an Application shall, unless the Case Manager extends this, be 3 months from the date of its being lodged, and a timetable shall be set accordingly.

4.10 If a party does not co-operate with the timetable or other directions given, or does not participate in the proceedings, the FAP may proceed in their absence or in the absence of evidence or representations that were to have been filed by a missed deadline

## **5. Independence of Case Manager and Case Panel**

5.1 The members of the FAP to hear a particular case (‘Case Panel’) shall be



selected by the Chair, in accordance with Article 22.4 of the Federal Party Constitution.

5.2 Unless application of the Federal Party Constitution compels it, the Chair shall not select a member as Case Manager nor appoint a member to hear an application if they have any personal connection to the parties or personal involvement in the subject of a particular dispute.

5.3 If it emerges that a Case Manager or member of the Case Panel has a personal connection to or involvement with a party or to the subject of the dispute, they must declare this as soon as they become aware of the connection or involvement, and if they do not choose to recuse themselves forthwith, then:

- A. they must give the parties a fair opportunity to ask questions about the connection or involvement,
- B. they must ask all parties if they have any objections, and
- C. they must recuse themselves unless all the parties waive any objection.

If a member has recused themselves, then the Chair shall either select a substitute or, if at least 3 members remain, then the remaining members may continue to determine the case.

## **6. Records and Communications**

6.1 Communications between parties and the FAP must be conducted through the Registrar, who shall keep a record of the communications.

6.2 The FAP shall not entertain any representations about the substance of a case before it that are not conducted in writing through the Registrar or at a hearing.

6.3 All parties to a dispute shall normally be entitled as of right to copies of representations made by other parties and rulings made by the FAP, if they request these from the Registrar, unless the FAP otherwise directs in the interests of justice.

6.4 The FAP may publish on the Party website a list of the cases pending before it, the names of the parties, and a short summary of the issues raised

in the pending application or appeal.

6.5 The FAP may redact or restrict the circulation of sensitive or personal information where this is compatible with fairness and the interests of transparency are outweighed by other considerations.

6.6 The parties to any case before the FAP must keep all information and documents received in connection with the proceedings strictly confidential and use them for the sole purpose of the proceedings.

6.7 Communications must be conducted directly between the parties and the FAP, and cannot be conducted with third party agents (save where necessary for instance to have the assistance of a carer, translator or sign language interpreter) or solicitors.

6.8 FAP determinations shall be published, at least in summary form, on the Party website and in a report to Conference. The form of publication shall be determined by the FAP. Sensitive or personal information may be redacted where the interest in confidentiality outweighs the presumption in favour of transparency. The parties may make representations as to the form of publication after a ruling has been delivered.

## **7. General Procedures**

7.1 Upon permission being granted, the Applicant shall where necessary be directed by a deadline to provide a detailed Statement of Grounds and any further supporting evidence to the FAP (through the Registrar) and to the Respondents. They shall be entitled to state that they wish to let their Application stand as their Statement of Grounds. The Applicant shall also provide any further additional material falling to be disclosed under rule 1.3 above.

7.2 The Respondents shall be directed by a deadline to provide their own Response to the FAP (through the Registrar) and to the other parties, setting out which aspects of the Application are conceded or contested, and the detailed grounds for resisting each of the grounds of the Application. They must provide any documentary evidence on which they rely with their Response. The Response must be on any form published for the purpose on the Party website and accord with any guidance published on the website.

The Respondents shall also provide any further additional material falling to be disclosed under rule 1.3 above.

7.3 The Applicant shall have an opportunity to file any representations or evidence in response to new points raised by the Respondents.

7.4 The Case Manager may determine that a case may be dealt with by the FAP in writing, where all the parties agree or where there are no significant factual

disputes. If an Application is not contested, or there is no real prospect of its being successfully defended, the Case Manager may finally determine the matter themselves without convening a Case Panel.

7.5 Where a dispute turns on the interpretation of the Federal Party Constitution or some other document, the Case Manager may subject to any provision of the Federal Party Constitution give a preliminary determination themselves, which shall become final and binding unless it is appealed to a full Case Panel within 14 days. In that event, the Case Panel hearing the appeal shall not include the Case Manager.

7.6 The FAP shall ensure that the procedures adopted to hear a case are fair, and in particular:

- A. it shall ensure that the time allowed to make representations or submit material is fair and reasonable;
- B. it shall ensure that parties are treated fairly as between each other; (c) it shall ensure that all parties have an opportunity to respond to relevant points made by opposing parties; and
- C. if it is minded to find against a party by reference to a factual matter not already squarely in issue in the case, or by reference to an argument not previously canvassed, it shall provide the party with a fair opportunity to address it on that point.

## **8. Succession**

8.1 Where a new FAP is elected by Conference, but there are outstanding determinations before the old elected FAP, members of the old FAP will in the first instance retain jurisdiction to deal with those matters until they are

finally determined, unless due to resignation, other commitments or illness it is impossible for that to occur.

8.2 In the event that the Chair resigns, dies or is through illness unable to perform their functions, the remaining members of the FAP shall as soon as practicable elect a new Chair from amongst those members elected by the Federal Board in accordance with Article 22.1, pending which the functions of the Chair may be exercised by the Vice-Chairs. In the event of the illness, death, resignation or unavailability of a member of the FAP other than the Chair who is the Case Manager of or sits on a Case Panel for a pending case, the Chair may select a substitute and may, where necessary, require a case to be re-heard. Vacancies may be filled in accordance with Articles 22.1 and 22.2 of the Constitution.

## **9. Procedural applications and objections**

9.1 The parties may at any time apply to the FAP for procedural directions, or to vary any directions already made.

9.2 Applications for a procedural direction, or to vary one already made, should be submitted as soon as possible to avoid prejudice to other parties or the FAP's schedule. If there has been delay, the application should explain why this took place, and be accompanied by any supporting evidence.

9.3 Members of the Liberal Democrats, AOs, SAOs, party officers or party bodies not currently a party to a case may apply to be added as a party, or to submit representations by way of intervention. They must state what their interest is, and what they propose to say. The Case Manager may permit their participation having regard to how far they are affected, whether submissions would be helpful, and the impact of such intervention on the timetable and on the current parties. A direction permitting participation may subject this to limits, conditions or deadlines.

9.4 The parties may apply to object to the fairness of the FAP's procedures at any time. Final determinations by the Case Manager and/or Case Panel on the substance of the case are binding and are not subject to further appeal or rehearing, so any party prejudiced by an alleged unfairness must raise this as soon as possible and state what they propose as the remedy.

9.5 Applications under this part of the procedure rules must state what ruling they would like the FAP to make, and why, be supported by evidence where appropriate (e.g. when requesting an extension of time), and (unless they are made at a hearing) be made in writing and on any form published for the purpose on the Party website.

9.6 Applications for procedural directions must normally be made with notice to the other parties so that they have 3 clear working days to respond before a decision is made. For instance, an application shall be submitted to the FAP and copied to the other parties on a Tuesday if it is to be considered the following Monday. The FAP may make exceptions but only for good reason.

9.7 The Registrar will routinely make copies of procedural applications available for a response by other parties. Exceptionally, there may be occasions where this would defeat the purpose of the application (e.g. an application for permission to withhold sensitive personal information from another party), in which case the application must clearly state this and inform the Registrar accordingly. The Case Manager will determine whether an application shall be decided without hearing from another party, and will only permit this where it does not compromise the fairness of the proceedings.

## **10. Hearings**

10.1 Where necessary to resolve any significant dispute of fact, or if the FAP's determination would be assisted by oral submissions, the Case Manager shall direct that a hearing be held.

10.2 Hearings may take place in person, virtually through the use of information technology, or by some hybrid of these, in a fair and accessible manner. If parties have difficulties in participating in physical or virtual hearings for any reason (such as where they have a disability that requires reasonable adjustments, or problems with their home broadband), they should inform the Registrar and submit a procedural application explaining how they consider they could be assisted to participate.

10.3 The members and chair of the Case Panel that will hear the case shall be selected by the Chair of the FAP.

10.4 The chair of the Case Panel shall be responsible for the procedure at the hearing, in accordance with these rules. At the oral hearing, procedural applications or objections must be made to the Case Panel.

10.5 The procedure at an oral hearing shall normally follow that set out in the Appendix to these rules. A copy shall be provided to the parties before the start of the hearing, together with any proposed deviations from the normal procedure.

## **11. Determinations**

11.1 After a Case Panel has been constituted, following or in the absence of an oral hearing the chair of a Case Panel or other person authorised by the chair shall

produce a draft determination for approval by the other members of the Case Panel. Such draft determination shall also be sent to the Chair of the FAP and Registrar by way of consultation on matters of law and procedure (but not fact), and the Case Panel shall have regard to any comments they make.

11.2 All determinations shall be reasoned. They shall summarise what the Case Manager or Case Panel members consider to be the principal facts and arguments, and explain why the Case Manager or Case Panel are making their ruling. The determination, or a summary thereof, shall be made available to all parties within 21 days of any oral hearing.

11.3 The parties shall have an opportunity to make submissions as to the form in which the determination shall be published. They may also make representations as to any obvious errata, such as errors of names, facts or dates not in dispute, or typographical errors. Save for corrections of errata, the determination shall be final.

## **12. Grounds on which the FAP will interfere with decisions**

12.1 The FAP not a policy-making body. It is not a democratically elected rule making body. It is not an elected executive body of the Party. It is a creature of the Federal Party Constitution. The FAP's function is supervisory: to interpret and enforce the Constitution, and protect members' rights under

the Constitution. The FAP may imply terms into the Constitution or subordinate rules, regulations or procedures where this is necessary or must have been intended. Only Conference may rewrite the Constitution.

12.2 The FAP shall not normally interfere with acts, omissions, decisions, rules, practices or procedures save where these are not permitted by or in conflict with the Constitution. This may arise in the following circumstances (which are not intended to be an exhaustive list):

- A. conflict with the Constitution or subordinate rules, regulations or procedures;
- B. procedural or substantive unfairness or impropriety;
- C. apparent bias or closed mind;
- D. unjustified or arbitrary breach of a legitimate expectation;
- E. proceeding upon a misunderstanding of the law; the Constitution, rules, regulations or procedures; of a person or body's role within the Party; or of uncontroverted facts;
- F. acting for an improper purpose;
- G. having regard to irrelevant matters or failing to have regard to relevant matters;
- H. unreasonableness or irrationality in all the circumstances;
- I. failure to give any or any adequate reasons where those are required.

12.3 The FAP will not interfere with a decision on the grounds that excessive or insufficient weight was placed on a particular factor in the decision-making, where an evaluative judgment was required and the factor was a legitimate one to consider, unless weight is dictated by the Constitution or subordinate rules and regulations, or the judgment was unreasonable. Nor will it normally interfere with factual findings by other adjudicative bodies unless those findings could not reasonably have been arrived at on the evidence before those bodies.

12.4 Where the FAP is entrusted with an appeal jurisdiction (such as in a misconduct case from a Complaints Panel), which is not a full rehearing of the merits of the case, it will interfere with the decision under appeal where:

- A. there was a serious failure of process or reasoning that was likely to render the determination of the complaint unsafe or unsatisfactory in

- all the circumstances; or
- B. relevant evidence which could not reasonably have been adduced at the time of the determination of the complaint, has since come to light which is likely to render the determination of the complaint unsafe or unsatisfactory in all the circumstances; or
  - C. the sanction determined was manifestly excessive or manifestly lenient in all the circumstances.

[Note that the FAP has an appeal jurisdiction in legacy cases appealed under the 2019 Complaints Procedures, but does not have an appeal jurisdiction in respect of decisions under the 2021 Complaints Procedures]

### **13. Remedies**

13.1 The FAP may in its final decisions make declarations (including declarations that a rule, regulation, procedure, practice, act, omission or decision is invalid or unauthorised by or under the Federal Constitution and must be set aside), and give directions to do or refrain from doing something.

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13.2 The FAP shall not make monetary awards, whether of costs, damages or compensation.

13.3 The remedy available on a successful appeal from the Article 23 Complaints Procedures is limited to a direction remitting the case back for a fresh Complaints Panel to rehear under the Article 23 procedures, together with any further direction that is considered appropriate or necessary in that respect.

[This rule relates to appeals launched under the 2019 Complaints Procedures.]

### **14. Status of Decisions**

14.1 A final determination of the FAP is final and binding upon all members of the Party concerned, pursuant to Article 22.7 of the Federal Party Constitution. This means in particular that the FAP cannot re-open a particular decision once a final ruling has been issued.



14.2 Among the fundamental values underpinning the Liberal Democrats' Federal Party Constitution are respect for the rule of law and good governance, respect for our democratically accountable Party institutions, and individual justice. If a party to a case knowingly or recklessly fails to obey or abide by a specific ruling in a particular case, that conduct is inconsistent with the fundamental values of the Party for the purpose of Article 3 of the Federal Party Constitution. It may constitute grounds for complaint, sanction or revocation of membership.

14.3 Federal Party Conference may overrule any determination of the FAP on a point of interpretation by amending the Constitution or subordinate rule, regulation or procedure concerned, and members of the Party are free to campaign for this provided that they abide by the determination.

14.4 The FAP shall not be bound by points of interpretation determined in its previous rulings, and a party in a subsequent case may argue that a previous case was wrongly decided; however the FAP will follow its own previous rulings of which it is aware, unless it is satisfied that they were wrong.

14.5 Any party to proceedings before the FAP may rely on previous rulings of the FAP, but they must provide the FAP and all other parties with copies of all relevant rulings relied upon in good time, as well as all those determinations at least arguably adverse to their own case.

## **APPENDIX TO THE RULES OF PROCEDURE OF THE FEDERAL APPEALS PANEL Normal Process during an Oral Hearing**

1. Any party may be assisted or represented by a friend, who may be a lawyer and may speak for the party at any time. If they both choose to speak, they should avoid repeating points already made by the other person.
2. Normally, the Applicant will speak first, to put their case. This should address any issues that have been identified as important in advance by the Case Manager or Case Panel.
3. The Applicant may call witnesses as to disputed fact only, although these may also give their evidence in written form. An appeal from a Complaints Panel is not a fresh re-hearing and the FAP would not normally hear evidence unless this could not reasonably have been adduced at the time of the Complaints Panel hearing.
4. Each Respondent or representative may cross-examine a witness, the friend or the Applicant, as permitted or directed by the Chair of the Case Panel.
5. The case for the Applicant should not last longer than 45 minutes, unless the Chair believes that the case has not been properly put in this time.
6. The Respondents shall speak next and have equivalent rights as to witnesses, a representative to aid her or him and time limit.
7. The Applicant may also cross-examine as permitted or directed by the Chair of the Case Panel.
8. Members of the Case Panel may ask for clarification or cross-examine at any time. They may warn parties or their representatives not to repeat points and curtail any arguments that are irrelevant or simply repetitious. They may also, following a warning, refuse to hear anyone who persistently acts in a disruptive or unruly way.
9. Each side may sum up, taking no more than five minutes. The Applicant shall speak last.
10. The Case Panel will then consider their conclusion.

## Federal appeals Panel report Appendix II

### APPLICATION BY SIMON PIKE, DETERMINATION BY THE CASE MANAGER

David Graham

Case Manager

22 July 2022

1. Pursuant to rule 7.5 of the FAP's published procedures, I give the following ruling, which will become binding unless appealed within 14 days to a Case Panel.
2. I reject the Applicant's complaint that the Standing Orders for Federal Conference are incompatible with the Federal Party Constitution ('FPC') because they make no procedural provision for the exercise of the right in Article 6.5 for reports to be referred back with recommendations, and purport to allow for rejection 'in part' of a report, which is not expressly provided for in the FPC.

### **References back**

3. The Federal Conference Committee has accepted that the Applicant has identified inconsistency between the Standing Orders for Federal Conference and article 6.5 of the Constitution. It is also said that the Standing Orders draw a distinction between agenda items for approval of 'reports' and 'business motions', such that the express provision for motions to be referred back cannot apply to reports.
4. The Standing Orders must be given an interpretation consistent with the Constitution unless that does violence to their language, because they can normally be taken to have been drafted with the Constitution in mind and should be given an interpretation rendering them effective rather than void. They must also be applied consistently with the Constitution, and disapplied if they are contradicted by the Constitution.
5. The fact that the Standing Orders are silent on how to exercise the article 6.5 right (providing only a procedure for members to move to reject a report at standing order 12.5) does not mean that they are *incompatible* with the Constitution.
6. Applying those principles, in my judgment it is wrong to find that the

absence of express provision for reference-back of reports defeats the constitutional right concerned. In the absence of any express procedure to the contrary, a voting Party member may directly rely on Article 6.5 of the FPC to submit a request for the report to be referred back to the body concerned with recommendations, prior to any vote to approve or reject the report. I rule that for this right to be effective, the proposer must communicate their reasons and the proposed recommendations to the chair. The chair must then ensure at the very least that Conference hears the proposal and proposed reasons, and votes whether to hear a debate on the proposed reference back (and then proceed to vote whether to refer the report back), or to reject that proposed course of action.

7. It is nevertheless unsatisfactory for the Standing Orders to be silent as to the procedure for exercising a constitutional right pertaining to Conference collectively.
8. I recommend that Federal Conference Committee prepare and present amendments to the Standing Orders to Conference for approval in accordance with article 11.1, which adopt a reasonable procedure facilitating the exercise by Conference of its constitutional right to refer reports back to the body concerned with recommendations.

### **Rejection in part of reports**

9. Article 6.5 of the FPC confers a right on Conference 'to approve or reject each such report'. The Standing Orders provide for proposals to reject part of a report. In my view, the undoubted express power of Conference to approve or reject the whole of a report may include a power to reject only part of the report. Article 6.4 provides for Conference to be the 'sovereign' representative body of the Party subject to the provisions of the FPC. Article 6.5 does not expressly confine the power of approval or rejection to a 'take it or leave it' vote on the whole of each report, and in my opinion there is no good reason to read article 6.5 so as to constrain Conference's sovereignty in that way (although it may bind itself to take-it or leave-it votes through Standing Orders).
10. I recommend that Federal Conference Committee consider the practical and timetabling consequences of allowing opportunities to pick out and debate parts of each report.