

Suggested Rule Change

Clarify the rules for electing Leader to avoid the Party being involved in legal battles

The Labour Party Rule Book 2016 Chapter 4 Elections of national officers of the Party and national committees, Clause II Procedural rules for elections for national officers of the Party, Section 2 Election of leader and deputy leader, Subsection B Nominations, (ii) (Page 14) reads as follows:

'Where there is no vacancy, nominations may be sought by potential challengers each year prior to the annual session of Party conference. In this case any nomination must be supported by 20 per cent of the combined Commons members of the PLP and members of the EPLP. Nominations not attaining this threshold shall be null and void.'

Amendment

Add an additional sentence at the end of the paragraph:

'In the event that a potential challenger attains the threshold and that an election will take place, the incumbent (Leader or Deputy Leader) will be automatically included on the ballot paper if they inform the General Secretary in writing they wish to be a candidate in the election.'

Supporting argument

The current Labour Party rules do not clearly spell out that an incumbent Leader (or Deputy Leader) is automatically on the ballot paper for Leader (or Deputy Leader) in the event of a challenger securing the requisite nominations of 20% of MPs and MEPs.

At the same time the rules do not require an incumbent Leader (or Deputy Leader) to receive any nominations, nor reach any threshold, in order to be a candidate standing in the election for their existing post.

The current rules were not drafted with the objective of excluding an incumbent Leader (or Deputy Leader) from being able to re-stand for election if challenged. Party members would expect an incumbent to be able to stand against their challenger/s in such an election.

But unfortunately, the lack of precise clarity in the way the rule is written is exploited by hostile media speculation claiming that a challenge can be mounted against our current Leader Jeremy Corbyn with him excluded from the ballot paper.

Labour needs its rule book to be clear to ordinary people.

Also, in the event of a Leadership challenge, it would not help the Party if it ends up in court having to argue over the meaning of our rules.

Establishing clarity on this rule would discourage media stories that the Leader can be replaced in a coup and assist the party in uniting to fight our political opponents.

The purpose of this rule change is simply to tidy up the existing rule.

Closing date for constitutional amendments: 24 June 2016

Suggested Rule Change

Ensuring a democratic choice in Labour Leadership elections - when there is a vacancy

The Labour Party Rule Book 2016 Chapter 4 Elections of national officers of the Party and national committees, Clause II Procedural rules for elections for national officers of the Party, Section 2 Election of leader and deputy leader, Subsection B Nominations, (i) (Page 14) reads as follows:

'In the case of a vacancy for leader or deputy leader, each nomination must be supported by 15 per cent of the combined Commons members of the PLP and members of the EPLP. Nominations not attaining this threshold shall be null and void.'

Amendment

Replace the words '15 per cent' with the words '5 per cent'

Supporting argument

Prior to 1988 the threshold required for a valid nomination to stand for Leader or Deputy Leader was 5 per cent of Labour MPs, whether there was a vacancy or an incumbent in post. The current requirement, when there is a vacancy that a candidate has to be nominated by 15 per cent of the PLP plus EPLP, allows for an undemocratic restriction in the choice of candidates that can be voted on in a leadership ballot.

When there was a vacancy for Leader In both 2010 and 2015 some MPs got around the current rule and ensured a representative field of candidates by nominating a candidate they did not intend to vote for. This allowed Diane Abbott MP in 2010 and Jeremy Corbyn MP in 2015 to be included in the respective ballots. It was widely believed neither would win a leadership election. Since Jeremy's election as Leader several MPs have indicated they will not again nominate to help widen the party's choice.

That potentially means, under the current rule, that a candidate who perhaps has the support of 5 per cent of MPs and MEPs, but also would be the choice of 60 per cent of Labour Party members, affiliated supporters and registered supporters, could be denied a place on the ballot paper.

It is undemocratic for MPs and MEPs to have powers to so tightly restrict the range of candidates running in a leadership election.

When there is a leadership vacancy the party should be free to consider a representative choice of candidates.

The purpose of this rule change is to re-instate the previous nomination threshold of 5 per cent, for when there is a vacancy for Leader or Deputy Leader. (This rule change would not alter the 20 percent threshold required when there is an incumbent in office.)

Closing date for constitutional amendments: 24 June 2016

Suggested Rule Change

CLPs to have the right to submit a rule change AND a contemporary motion

The Labour Party Rulebook 2016 (page 13). Chapter 3 Party Conference, Clause III Procedural rules for party conference. Conference Rule 2 - Agenda. Sub-clause C.

The last but one sentence of Sub-clause C reads as follows: '**Alternatively**, a constitutional amendment on one subject only may be submitted in writing.'

Amendment

Delete 'Alternatively' and replace by 'also'.

Supporting argument

The right of CLPs and affiliated organisations to amend the party's Constitution is an important democratic right. There should be no restriction on this right. At present, CLPs and affiliated organisations can submit either a rule amendment or a 'contemporary motion', but not both. This is an arbitrary and unnecessary restriction, since there is no link whatsoever between rule changes and 'contemporary motions'. The above rule change would remove this unreasonable restriction. The trade unions are generally very supportive of this proposal.

Closing date for constitutional amendments: 24 June 2016

Suggested Rule Change

Policy Reports: end the choice between all or nothing Allow conference to vote in parts

The Labour Party Rule Book 2016 Chapter 3 Party conference, Clause III Procedural Rules for Party Conference, Conference rule 2 - Agenda. Sub-Clause G (page 13) reads as follows:

'Party Conference shall consider policy reports and draft reports as part of the rolling programme, the NPF report, the NEC annual report, NEC statements and development strategy, constitutional amendments and contemporary motions or emergency resolutions submitted and accepted. It shall not consider any business unless recommended by the NEC or the CAC. At any special session of party conference, the NEC shall determine the business to be conducted.'

Amendment

First sentence: after 'strategy', end the sentence and insert:

'Conference has the right to refer back part of any policy document without rejecting the policy document as a whole. Conference shall also consider'

Supporting argument

Conference has always had the right to refer back any section of the NEC Report. But the platform has always refused to extend this right to NEC policy statements (except in 1974 when Tony Benn chaired the Conference). When Partnership in Power was introduced in 1997 delegates were led to believe that National Policy Forum reports would be voted on in parts if Conference so wished. But in practice this has not happened. Conference has to vote for the whole document on a take-it-or-leave-it basis. This means that, inevitably, documents are always passed, although delegates may be unhappy with one or more particular section. This proposed rule would allow Conference to have a separate vote on any part of a policy document. It is a simple democratic procedure that is long overdue. The trade unions are very supportive of this proposal.

Closing date for constitutional amendments: 24 June 2016

Suggested Rule Change

Abolish the obsolete one year's delay re rule changes from CLPs

The Labour Party Rule Book 2016 (page 13) Chapter 3 Party Conference, Clause III (Procedural Rules for Party Conference), Conference rule 2 – agenda.

Amendment

Add at end after Sub-clause H, a new Sub-clause I as follows:

'All constitutional amendments submitted by affiliated organisations and CLPs that are accepted as in order shall be timetabled for debate at the first annual party conference following their submission.'

Supporting argument

The NEC can (and does!) agree rule changes one week and have them voted on by Annual Conference the following week. But for CLPs and trade unions it is an entirely different process. A rule change from CLPs/TUs submitted before the June closing date in one year has to wait well over a year (until the Annual Conference the following year) before it is timetabled for debate. This inordinate delay is due to an obscure convention, referred to as 'The 1968 ruling'! In those more democratic days a complete verbatim of Conference was published and provided to delegates and CLPs. Thus we can read that the idea proposed in 1968 was that, during the year's delay, the NEC would analyse the rule amendments in detail and present a considered assessment to the subsequent Conference. This may have happened once, but it has not been like that for years. Rather, in the lead up to the subsequent Conference, the Party officials simply make a one or two sentence written comment (usually to 'reject') and then this is nodded through by the NEC (although 2014 saw an exception to this pattern).

Thus, by its actions, the NEC has rendered the 1968 convention obsolete and it should be dispensed with. In any one year there is plenty of time between June and Annual Conference to assess rule change proposals from CLPs and TUs. The rule amendments should therefore be considered by Annual Conference in the year in which they are submitted – as set out in our recommended rule change.

Closing date for constitutional amendments: 24 June 2016

Suggested Rule Change

Remove the arbitrary criterion of ‘contemporary’ in relation to annual conference motions

The Labour Party Rule Book 2016 (page 13), Chapter 3 Party Conference, Clause III (Procedural rules for Party Conference), Conference Rule 2 – Agenda, Sub-clause C reads as follows:

‘All affiliated organisations, the ALC, Young Labour and CLPs may submit one contemporary motion which is not substantially addressed by reports of the NEC or NPF to Conference. The CAC shall determine whether the motions meet these criteria and submit all motions received to a priorities ballot at the start of conference. The ballot will be divided into two sections. One section for CLPs and one section for trade unions and other affiliated organisations. At least the four priorities selected by CLPs will be time-tabled for debate, as will at least the first four priorities selected by Trade Unions and other affiliated organisations. Motions must be in writing, on one subject only and in 250 words or less. Alternatively, a constitutional amendment on one subject only may be submitted in writing. Contemporary motions and constitutional amendments must be received by the General Secretary at the offices of the party by the closing date determined by the NEC.’

Amendment

First sentence: delete ‘contemporary’ and delete ‘which is not substantially addressed by reports of the NEC or NPF to Conference.’ And replace the latter with ‘on a matter of policy, campaigning or party organisation and finance’.

Second sentence: delete ‘determine whether the motions meet these criteria and’.

Last sentence: delete ‘contemporary’.

Supporting argument

CLPs have precious little scope to influence decision-making at annual conference and the right to submit a single ‘contemporary motion’ is one of their most important opportunities. Indeed, this lack of real influence is a major factor why less and less CLPs are sending delegates to conference.

Unfortunately the arbitrary criterion of ‘contemporary’ is not only not properly defined, but it is unnecessarily restrictive. It lends itself to being used by the platform to rule out controversial issues that the Party establishment would prefer not to see on the conference agenda. But in a democratic party, annual conference (the Party’s sovereign body) should have the right to discuss all subjects which CLPs and affiliated organisations consider are important. There should be no artificial barriers on this right. CLPs and unions should therefore have the right to submit whatever subject their members consider important. The original Partnership into Power proposals made it clear that motions on campaigning and party organisation were permissible. The above rule change spells this out.

Closing date for constitutional amendments: 24 June 2016

Suggested Rule Change

Full involvement by party branches and branches of affiliated organisations in the selection of Westminster candidates

The Labour Party Rule Book 2016 Chapter 5 Selections, rights and responsibilities of candidates for elected public office, Clause IV Selection of Westminster parliamentary candidates (page 22)

Amendment

Insert new subclause 2 as follows:

'The NEC's procedural rules and guidelines for the selection of candidates for Westminster parliament elections shall include provision for party branches and branches of affiliated organisations to both interview prospective candidates and make nominations to the long list. The drawing up of the final shortlist will give due cognisance to the weight of nominations each candidate receives.'

and renumber existing subclauses (2) onwards to now be subclauses (3) onwards.

Supporting argument

The selection of parliamentary candidates is one of the party's most important tasks. Some MPs serve for 40 years and it is vital that every effort is made to secure the very best candidates. This should mean involving all party members and affiliated members through their branches and seeking to select PPCs that are representative of their communities. Unfortunately, in recent years, the opposite has been happening. Party branches nominate from CVs without interview, affiliated branches are not properly involved at all, and, according to the latest NEC survey, as few as 9% of current Labour MPs have a manual background, whereas 27% are from the Westminster village. The party has made a commitment to giving members a greater role and influence. Nowhere is this more important than in the selection of Labour parliamentary candidates.

Closing date for constitutional amendments: 24 June 2016

Suggested Rule Change

A two term limit for elected Mayors

The Labour Party Rule Book 2016 Chapter 5 Selections, rights and responsibilities of candidates for elected public office. Clause I. General rules for selections for public office. Sub-Clause 1. G. i. Alternative Procedures (page 20) , reads as follows:

‘For any mayoral selection the NEC may consider the use of primary elections, subject to the absolute power of the NEC to cancel or amend procedure, and subject to:

a. Procedural guidelines set by the NEC.’

Amendment

Add new sub-clause:

b. If a selected candidate is elected for two consecutive terms he/she cannot apply for selection as the Labour candidate for the same mayoral post for the following third term.

Supporting argument

Directly-Elected Mayors were introduced by the Local Government Act 2000 and, from their entry into function after the 2002 Local Elections until 2008, the Labour Party rules stipulated that Directly-Elected Mayors who were Labour Party members could not stand for re-election after having served two terms.

This time limit was removed on the recommendation of the NEC Local Government Committee in 2008.

Unique among public offices subject to universal suffrage, Directly-Elected Mayors have presidential-type executive powers. These powers are not always counterbalanced by adequate checks and balances therefore, in the interests of healthy democratic local governance, a single individual should not hold these powers for a long period of time.

Without this rule change, several Mayors may stand for re-election in 2018 for a fifth term that could result in a total of 20 years in office.

Closing date for constitutional amendments: 24 June 2016

Suggested Rule Change

A new Local Government Committee structure (instead of the existing Local Campaign Forum)

The Labour Party Rule Book 2016 Chapter 12 Rules for Labour Party Local Campaign Forums, Clause 4 Membership (page 44):

Amendment

Delete all and insert new sub-clauses as follows:

1. The membership of the LGC shall consist 75% of delegates from the local CLP(s) and 25% from affiliates. At least 50% of delegates from each group shall be women.
2. Additionally, CLP campaign co-ordinators shall be ex officio members of the LGC. Any sitting MP, AM, MSP, MEP, PCC and / or PPC may attend their LGC. Where a Co-operative Party council exists for the area concerned and they sponsor candidates in local elections they shall be entitled to appoint a member to the LGC.
3. The LGC shall meet at least four times per year with representatives of the Labour group where one exists.

Consequential amendments - elsewhere replace LCF by LGC

Supporting argument

The introduction of Local Campaign Forums, following the 'Refounding Labour' process in 2011, has not been a success.

In many parts of the country LCFs meet irregularly, do not provide an adequate forum for consultation and debate on local government policy, and do not organise sufficient campaigning activity.

Reinstating Local Government Committees, with defined representation for CLPs and affiliates, and regular meetings, would improve on this situation.

Closing date for constitutional amendments: 24 June 2016

Suggested Rule Change

A democratic Young Labour

The Labour Party Rule Book 2016 Chapter 11 Rules for Young Labour, Clause V Structure (page 39):

Amendment

Add at end after Sub-clause 3, a new Sub-clause 4 as follows:

'Young Labour shall have its own constitution and standing orders, to be determined by the Young Labour AGM'

Supporting argument

The rule would clarify how Young Labour works, increase its autonomy and stop the organisation being beholden to Labour Party staff's interpretation of the rulebook.

Much of the current rules simply say that the NEC will determine how Young Labour works as it sees fit, with no concrete rules to govern the organisation

The purpose of this rule change is to make Young Labour AGM into the sovereign body of the organisation. Self-organisation and democracy are crucial to making a youth organisation that can be really attractive to young people. An organisation where all the important decisions are made by distant bodies cannot foster the democratic spirit that we want in our youth movement; nor will it be convincing to young people wanting to be involved in politics.

Closing date for constitutional amendments: 24 June 2016