**NEC report, 20 September 2016**

This main purpose of this meeting was to discuss conference business, a few days before the party was due to gather in Liverpool. It had a somewhat strange atmosphere, however, as it took place just a couple of days before the end of the leadership election and virtually everyone present had already accepted (as several frankly acknowledged) that Jeremy Corbyn was going to be declared the winner. It also overran the four hours scheduled by another 4.5 hours.

The first substantive item was the **Leader’s Report**. Jeremy acknowledged that things had been said during the leadership election that were a matter of regret but now was the time to move on and reunite the party. He said that the abuse and anonymous briefings needed to end and that whoever was elected leader would be entitled to the support of the PLP. He also accepted as legitimate, however, the concerns that had prompted the PLP’s call for election to the Shadow Cabinet and felt that this could potentially be accommodated, to some degree, if it might help to heal the rift that had opened up in the party.

Jeremy suggested a procedure for this and other rule changes, whereby the NEC would take an initial view on a set of proposals; this would be explored in more detail at an ‘away-day’; there would then be a brief consultation with the wider party; the NEC would consider the responses and agreed a final package of proposals, which would be put forward for decision and implementation, perhaps by a special conference in the New Year.

Jeremy also highlighted the importance of the review that had been conducted by Shami Chakrabarti, the conclusions of which he wanted to be implemented in full, although some of it would first need to be considered in detail by the NEC’s Equalities Committee (the NEC unanimously agreed the Code of Conduct drawn up in response to the inquiry, committing Labour to “equality and combating and campaigning against all forms of racism and prejudice”). He said that Shami would be a real asset to the party in the House of Lords, given the government’s assault on human rights. He reported that he had met European social democratic leaders to discuss the implications of Brexit and also that he was pushing for public inquiries into Orgreave and the Shrewsbury 24.

Jeremy’s report was followed by two hours of questions and discussion, much of which consisted of the same points being repeated by different NEC members. Some members paid tribute to the hard work of party staff during the leadership campaign and expressed disquiet at the criticism that some had received, when they had been carrying out the decisions of the NEC. A number of members raised concerns about the online abuse apparently experienced by MPs who had criticised or voted against Jeremy and some highlighted the leaked dossier compiled by someone in the Leader’s office, containing a list of 14 MPs who were considered to have been abusive towards Jeremy. This was described by one MP as “an invitation to deselection” and was held up by others as an example of Jeremy’s supposed responsibility for the abuse endured by MPs; some fairly strident demands were made for him to use his authority to make it stop.

Along with a veteran left-wing MP and another Grassroots Alliance-backed CLPs rep, I attempted to restore some balance by pointing out that Jeremy had probably been on the receiving end of more abuse than anyone else in the party, much of it coming from the very MPs who were complaining about their own treatment (for the record: neither I nor anyone else in a position of responsibility on the Labour left would condone any abusive, obscene or intimidatory messages directed against anyone – but it is wrong to suggest that this behaviour is the preserve of any one section of the party).

One member also asked whether there would be an investigation into Momentum following the previous night’s Channel 4 “Despatches” programme and referred to a meeting that Jeremy had apparently attended at the Unite offices in Esher at which there had supposedly been a discussion about getting rid of Jeremy’s leading critics, including senior full-time staff and NEC trade union reps.

In his response to the discussion, Jeremy echoed the supportive comments made about party staff, whom he said should always be treated with respect. He reiterated that he absolutely condemned all forms of abuse and pointed out that, while “unkind” things had been said about him on social media, he had always refused to respond in kind. He said that he was “not into purges” and that employment of staff was the responsibility of the NEC as a whole, not just the Leader. With regard to the Despatches programme, he pointed out that the reporter had gone undercover to take a paid job with Momentum, drawing two salaries, and had illegally tape-recorded conversations. Jeremy was comfortable with the fact that there were different organised groups in the party and had even spoken at a Progress meeting. The meeting Jeremy had had in Esher had been about making his office more efficient; he had not been involved in the kind of discussions that had been reported.

The NEC next agreed a **Safeguarding Code of Conduct**, developed in collaboration with the NSPCC and designed to address the party’s responsibilities to its 10,000 members under the age of 18, and agreed some minor changes to the Social Media Code, which had been adopted at the previous meeting. The latter prompted some reflections from NEC members who had been involved in the panels considering complaints against party members and supporters. They all said that it had been a difficult task, both because of the unpleasant character of some of the abusive comments complained about and because of the need to try and exercise some discretion in relation to the age of the members involved; the presence or absence of a pattern of ‘offending’ behaviour; whether there was any threat involved, etc. Some also felt that there should be a wider range of penalties, including written warnings for less serious offences, rather than going straight to suspension. One trade union rep raised concerns about the situation in Bristol, where the suspension of three Labour councillors had resulted in the party losing our majority; she called for these cases to be looked at urgently.

Tom Watson then presented a **report on the ‘party reform’ agenda** that has been overseen by the NEC over several months, drawing together specific proposals arising from the work that had been done on gender representation, on local government, on devolution and on promoting political representation by people from working class and low-income backgrounds. An NEC ‘away-day’ set for 6 September and intended to work up some rule changes ahead of conference had been cancelled because of the leadership election and it had been suggested that the proposals might have to await a rescheduled ‘away-day’ after conference. It was agreed, however, that there were a number of proposals that were sufficiently uncontentious that they could be agreed without further delay and presented to conference for endorsement. These were:

* Gender representation: NEC to establish a formal policy-making women’s conference.
* Local government: Councils and Labour Group Executives should reflect the wider community and gender balance of the executive should reflect the group as a whole; members of Labour Group should not support any proposal to set an illegal budget; Combined Authority Mayors and PCCs to be accountable to CLPs, Labour Groups and Affiliates with regular reports to those unitd and to regional conferences; Combined Authority Mayors and PCCs to uphold Labour’s commitment to diversity and under-representation in any appointments they make; ALC [Association of Labour Councillors] levy payments to be made by regular direct debit.
* Devolution: The Leaders of the Scottish and Welsh Labour Party to attend Clause V meetings [to draw up the general election manifesto]; Scottish and Welsh Executives to administer the procedures and selection of Westminster Parliamentary Candidates in Scotland and Wales [this was agreed after it was confirmed that the procedures themselves would continue to be those drawn up by the NEC]; Scottish and Welsh Executives to manage and administer selection of candidates for devolved institutions and local government in Scotland and Wales; Scottish and Welsh Executives to set procedural rules for the election of the Leader and Deputy Leader of the Scottish and Welsh Labour Party.
* Bursary Scheme: The Labour Party to introduce a scheme to support members seeking selection to Parliament from working class and low income backgrounds.

There was, of course, one further rule change proposal in the section on Devolution, which the NEC discussed:

*“The Scottish and Welsh Labour Party each to be directly represented with voting rights on the NEC by a frontbench member of the Scottish Parliament and Welsh Assembly.”*

There has been widespread media coverage of the decision to endorse this proposal and I have personally come in for a fair bit of criticism for voting against it. I have defended myself at length elsewhere, so I will summarise my position as briefly as possible here. This proposal, and the whole section on devolution, was largely driven by Scottish Labour, with the Welsh Executive Committee (WEC) adopting the default position that any increase in devolved powers offered to the Scottish party should also be offered to Wales.

There has been no reference, however, to any desire for a ring-fenced NEC seat for Wales on the brief occasions when the question of intra-party devolution has been discussed since I joined the WEC in February. Moreover, when a set of proposals for increased autonomy for the Welsh party was circulated to the then members of the WEC for their approval in September 2015, there was no reference to NEC representation on that occasion either. And when, on 5 July, the NEC’s Organisation Sub-Committee was presented with a ‘party reform’ progress report, there was no reference to representation on the NEC for Wales or for Scotland. In other words, the NEC meeting on 20 September was the first time, to my knowledge, that this issue had been acknowledged – at least, over the last year or so.

My own longstanding support for the principle of the Welsh party having greater control over its own affairs is well-documented and I was enthusiastic about a proposed rule change put forward by the Campaign for Labour Party Democracy a few years ago – unfortunately, without success – which would have augmented the six-strong CLP section of the NEC by adding two seats, to be elected by Scottish and Welsh members, respectively (until I joined the NEC this year, there had never been a Welsh CLPs rep on the Committee, and Scotland had had only infrequent representation, since the current NEC structure was introduced in the late 1990s).

The Scottish and Welsh Labour leaders can currently attend NEC meetings as observers and the Scottish leader, Kezia Dugdale, was present on 20 September. She argued forcefully that agreeing the rule change would demonstrate the party’s acceptance of the changed realities of devolution and would undermine the SNP’s argument that Scottish Labour is merely a “branch office” of a London-dominated party. She made it clear that she would take up the Scottish seat herself if the change were agreed although it was acknowledged that Carwyn Jones, as leader of a governing party, would not be able to attend NEC meetings in person and would need to delegate this role to another representative.

I pointed out that Welsh Labour has only 29 seats out of the sixty in the Assembly and needs every vote; no Labour AM, therefore, would be able to attend NEC meetings in London on a Tuesday when the Assembly is sitting. I made this point twice in the discussion but it was largely ignored. My second objection to the proposed rule change – that Scotland and Wales should have NEC representation but that these seats should be subject to an OMOV ballot of all members in the countries in question – was also made by other NEC members. Nobody opposed additional representation for Scotland and Wales on principle but it was suggested that the proposal could be considered in more detail by a rescheduled ‘party reform’ away-day after conference, alongside other suggested changes to the NEC’s composition, and that these changes could be agreed by a special conference early in the New Year. When it was put to the vote, however, it was agreed by 16 votes to 14 to put the rule change to the Liverpool conference.

(Had the vote gone the other way, it would not have meant the end of any idea of NEC representation for Scotland and Wales altogether, to which nobody present was opposed in principle, but the matter would have been referred, for more detailed consideration, to a rescheduled NEC ‘away-day’ on party reform and subsequently a special conference.)

The other major proposal in Tom Watson’s paper on party reform was on the much-publicised issue of the **election (or otherwise) of the shadow cabinet**. He had put forward two alternative models for change: one involving the election of the whole shadow cabinet by the PLP; and the other involving a third of the shadow cabinet elected in that way, a third appointed by the Leader, as at present, and a third elected by party members, as Jeremy had suggested. There was general agreement that some sort of compromise solution was desirable but a lengthy discussion ensued as to how this could be arrived at. One of the trade union reps proposed that talks between the Leader’s office and representatives of the PLP should take place and that whatever position had been reached as of the pre-conference NEC meeting on Saturday 24 September should be put to conference. Everyone agreed that the talks were a good idea but some of Jeremy’s strongest supporters argued – rightly, in my view – that these talks would need to take as long as necessary to come up with the right solution and that an artificial deadline should not be set. This view eventually prevailed and the motion fell by 16 votes to 15.

Less controversial was a rule change to clarify that an incumbent party leader (or deputy leader) should automatically be on the ballot-paper if challenged, which everyone agreed to recommend to conference, as the matter had (eventually!) been settled by the 12 July NEC meeting and subsequently defended by the party when challenged in the courts.

With the meeting already having gone on for more than seven hours, we finally got to the substantive item on **Conference Business**, introduced by the Chair of the Conference Arrangements Committee (CAC), Harry Donaldson. The main task here was to agree the NEC attitude on rule change motions submitted by party bodies (in most cases, a year before). I supported a proposal that the NEC back a rule change from Sheffield Healey CLP, seeking to allow conference to vote in parts on the lengthy policy documents brought forward by the National Policy Forum, which currently have to be accepted or rejected in their entirety. There was opposition to this, however, on the grounds that it might cut across the review of policy-making commissioned by the Leader and might also cause “confusion”. It was agreed by 16 votes to 15 to ask conference to remit or oppose the motion. More positively, it was agreed to support a motion from Ashfield CLP, calling for unions’ retired members’ branches (they had in mind the NUM, in particular) to be able to affiliate to CLPs in their own right.

The last significant discussion was under the **General Secretary’s report**, where some of us raised concerns about aspects of the leadership election – in particular, the large number of suspensions of members over public statements that had been abusive in nature or supportive of another party. A paper circulated to the meeting showed that 11,250 complaints had been received and, although 52% of these had not included sufficient evidence to be referred to an NEC panel, 3,963 had resulted in action being taken (usually suspension). I said that these figures were disturbing in their scale and that many party members had been living in fear of losing their membership rights over a comment they may have made on social media. From what I’d seen in a number of cases brought to my attention, many of the infractions committed had not been serious enough to warrant such a heavy penalty and there was a strong case for urgently re-examining many of the cases – although it was hard to see the Compliance Unit getting through such a heavy volume of investigations in any reasonable sort of timescale. I also raised concerns about the ‘collective punishment’ meted out to Brighton and Hove DLP and to Wallasey CLP.

Another CLPs rep, who raised similar concerns about the suspensions, also highlighted the fact that a substantial number of people (albeit probably a small minority of the total) had, for no apparent reason, never received a ballot-paper, despite repeated phone calls to the party.

In response, the General Secretary and a CLPs rep who had sat on many of the panels looking at complaints, broadly defended the process, albeit acknowledging that there had been some issues (te General Secretary said that the system had worked better than the previous year). In relation to Brighton and Hove, which had also been raised by a trade union rep, the General Secretary said that a report had been completed and its conclusions were awaiting endorsement and action.

I would have liked to have pursued these issues in greater detail but it wasn’t possible to do so at the end of such a long meeting. I am continuing to seek answers to my concerns via correspondence, however.

There still remained a number of items on the agenda and these were now whizzed through in record time. I hope that future meetings will stick more closely to schedule – however controversial the subject-matter – by restricting contributions when we reach the point at which the main issues have been aired.