

To appeals@labour.org.uk

cc: Keir Starmer, Leader of the Labour Party

David Evans, General Secretary

Gurinder Singh Josan, Chair of Disputes

This is my formal appeal against a Notice of Outcome of Investigation: Termination of Membership of the Labour Party, Ref: L0089569, Case No: TCR00-5958, sent to me by email by the Governance and Legal Unit on December 15, 2022. The notice is attached, along with the original Notice of Allegation and Administrative Suspension received on September 22, my response submitted on October 18 and other relevant papers.

I am exercising my right to appeal this decision on the grounds set out at Chapter 2, Clause I.6 of the Rules.

I maintain that the decision should be set aside because:

1. The findings of the NEC are flawed or tainted by bias or unsupported by the evidence (C2 Clause 1.6).
2. The Evidence provided fails to prove that I committed a prohibited act (C2 Clause 1.5B)
3. Bias is evident in the timing of my suspension and manipulation of the disciplinary process against me. I was targeted as the only Jewish representative elected to the NEC in the 2022 elections, representing an offence under Rule Book Chapter 1, Clause VIII.3.A.iii in relation to conduct or behaviour demonstrating “hostility or prejudice based on religion or belief”.
4. Bias, hostility and prejudice are evident in the leaking of information about my expulsion, made public in breach of the Labour Party’s obligations under the Data Protection Act 2018, its own Code of Conduct on Confidentiality and Privacy, and contrary to the confidentiality paragraph which appears in emails from GLU.

Point 1.

The disciplinary proceedings against me are tainted by bias, hostility and prejudice because:

- a) I was administratively suspended shortly after being elected to the NEC as a CLP representative. The election result was greeted with a wave of public attacks on me by individuals and groups politically opposed to me and other left-wing Jews who, as a group of Labour Party members, have been disproportionately subjected to investigation, suspension and expulsion. [The EHRC](#) is looking into a number of cases. The public attacks on me included demands that the party should prevent me from exercising my role on the NEC. (Evidence supplied). By suspending me the Party acceded to these demands, exhibiting political bias as well as hostility and prejudice against me.

b) My suspension was based on an alleged breach of the rules which took place a year earlier. In my response I asked for assurances that my suspension, which could have taken place at any point over the previous 12 months, was not timed to prevent my taking up my NEC seat. I have received no such assurances. I maintain that the disciplinary action against me was motivated by bias, hostility and prejudice towards me as a left-wing Jew, timed to prevent me speaking on behalf of those who elected me to the NEC.

c) I asked to be kept informed of the process of investigation into the allegation against me, the arguments being used in response to my case in my defence and to be told who would be on the panel deciding my case so that I could be assured of a fair hearing. I received no response to any of these requests. I regard this as further evidence of bias, hostility and prejudice inherent in the disciplinary process to which I was subjected.

Point 2.

The Evidence against me depends on a certain interpretation of one phrase in Chapter 2, Clause I.5.C, justifying termination of membership for committing “Prohibited Acts” ie: “otherwise supporting (as may be defined by the NEC) any political organisation that the NEC in its absolute discretion shall declare to be inimical with the aims and values of the Party.”

a) The allegation relates to my involvement in a discussion in September 2021 organised by a number of groups, including Resist, LAW and LIEN which had been proscribed two months earlier. I strongly contest the assertion that my involvement in that discussion can be presented as proof of support for any of those groups. I was present, not out of allegiance to any of the organisers, but in order to contribute a legitimate, alternative Jewish point of view. Given that the party permits members of the Tory party to become LP members without any suggestion that their allegiance lies elsewhere, the reasons given for expelling me appear to reflect bias, hostility and prejudice against me.

b) Bias and prejudice is further indicated by the fact that, whereas proceedings were brought against me for taking part in the event in question, no action has been taken against Shadow Secretary of State for Health, Wes Streeting, for [delivering a keynote speech](#) on December 16 under the auspices of the conservative think tank Policy Exchange. PX is [described by Conservative Home](#) as having “particularly strong” links with the Tories. “It is seen as the leading think tank of Tory modernisers, but its economic agenda is fiscally very conservative.”

c) The finding against me stated that an NEC Panel met on 15 December 2022 and “considered all of the evidence that the Party put to you and any evidence submitted by you in response. The NEC Panel then made findings of fact and then applied the Rules to those findings.” I presented extensive evidence in my response to my suspension regarding the alleged “prohibited act”. None of this evidence has been rebutted, or even acknowledged by GLU or the NEC panel. It is hard to resist the conclusion that there was in fact no investigation of my case, no consideration of evidence submitted by me, and that the outcome was a foregone conclusion based on bias, hostility and prejudice.

d) The detailed evidence contained in my response (attached) to the allegations made against me explains that there was a festival organised on the fringe of the party conference in September 2021. The festival, under the banner Resist!, included a range of discussions and

talks. One of these was titled “McCarthyism and Starmer’s Labour”. I was not advertised as a speaker in advance. But as someone with a lot of experience of supporting members I believed had been unjustly treated in a manner reminiscent of the McCarthy era in the US, I was pleased to be invited to take part. I did so in order to contribute an alternative Jewish point of view and also because I have a background in journalism including 20 years at Reuters where I had the privilege of working with one of the other scheduled speakers. The discussion was recorded and has been publicly available online since September 2021. Its sudden appearance a year later – as a pretext for charging me with “supporting” three of the organisations involved in arranging the event – demonstrates bias, hostility and prejudice against me.

e) To be clear, I regard the proscription of groups disapproved of by the leadership as authoritarian and unacceptable in a party that claims to be democratic and aspires to lead the government of the country. Implementation of the measure, criticised in the Forde Report, closes down debate about issues that should be open for democratic discussion. It permits the leadership to exercise bias in silencing and excluding members without having to prove any actual misdemeanour. My expulsion comes in the wake of numerous others over recent months involving members at every level of the party, including some very prominent individuals – film-maker Ken Loach, Bakers’ Union president Ian Hodson, councillor and former PPC Pamela Fitzpatrick, UNISON National President Andrea Egan to name but a few.

Point 3.

The proceedings against me reflect hostility or prejudice against me because of my identity and beliefs as a left-wing Jew.

a) I was the only Jewish representative elected to the NEC in the 2022 elections, standing on a platform which depended on the role I had played in defending Jewish and non-Jewish party members against what I regarded as unjust accusations of antisemitism. Those who cast their votes for me because of who I am have been disenfranchised by the action taken against me.

b) I was subjected to public vilification because of my role as a Jewish activist supportive of Palestine. Far from showing me the duty of care which is due to an elected NEC representative, the party sided with my attackers, deploying a flimsy allegation to strip me of my elected role.

c) Those attacking me included non-Jewish members of the NEC who should have been disciplined for their public abuse of a Jewish woman party member. No action has been taken against them while I have faced punitive disciplinary action.

d) These acts of commission and omission represent “hostility or prejudice based on religions or belief” and are offences under Rule Book Chapter 1, Clause VIII.3.A.iii.

Point 4.

I have submitted a formal complaint (attached) calling for an investigation to identify and discipline those responsible for leaking confidential information about my expulsion to a

hostile third party. The leak is yet further evidence of bias in the disciplinary process – another reason why the action against me should be nullified. The facts are:

a) On December 15, 2022 I was celebrating my 70th birthday with friends and therefore not reading my emails. I did not know that an NEC Disputes Panel had met during the day and decided to expel me from the Labour Party. I knew nothing of the decision until rumours of my expulsion began to circulate on social media, based on a Tweet by journalist Lee Harpin. He is well known for his many hostile articles in the Jewish Chronicle and, since April last year, in the Jewish News, attacking me personally and other like-minded Labour Party members, especially Jews.

b) At 8.06 pm on Thursday Dec 15, Harpin tweeted "Hearing talk of a significant Labour expulsion"

At 9.29 pm he tweeted "Naomi Wimborne Idrissi - co-founder of JVL - has been expelled from the Labour Party, multiple sources confirm tonight." See screenshots included in the attached formal complaint.

c) I knew nothing of this until shortly before 11pm when I saw WhatsApp messages from friends shocked at rumours of my expulsion. Only then did I check my emails and see a Notice of Outcome of Investigation: Termination of Membership of the Labour Party from GLU. It was timed at 6.26 pm, but I did not see it until 11pm.

d) Harpin refers to receiving confirmation from “multiple sources” about confidential information which could only have come from within GLU, or from the NEC panel, or from senior Labour Party figures with access to such information. Such a serious breach of confidentiality reflects factional bias against me on the part of those who committed it or allowed it to occur.

e) The leak to Harpin clearly infringes the party’s Code of Conduct on Confidentiality and Privacy, which states (6.9): “It is important that disciplinary action taken by the Labour Party pursuant to Chapters 2, 6, 7, 8 and/or 13 of the Labour Party Rule Book is kept confidential by the Labour Party, its members and its officers so as to maintain the integrity of any disciplinary investigations and to preserve any relevant evidence.”

f) It is also in direct contradiction with an injunction included in GLU communications with members against whom complaints have been made: “The Party’s investigation process operates confidentially. That is vital to ensure fairness to you and the complainant, and to protect the rights of all concerned under the Data Protection Act 2018. Please keep all information and correspondence relating to this investigation private and do not share it with third parties or the media, including social media.”

g) The illicit sharing of information about the NEC panel meeting with a third party journalist may have involved accessing private emails intended only for me. This would be in breach of the Labour Party’s obligations under the Data Protection Act 2018.

h) There have been multiple occurrences of similar leaks and data breaches in cases brought against party members whose views differ from those of the current leadership. Lee Harpin received and published confidential information from a meeting of my constituency in November 2020, resulting in several months’ suspension for myself and two other

members. I am not aware of anyone being held responsible for any of the many such breaches of confidentiality. There is clearly no natural justice in a disciplinary system which allows such a situation to persist.

CONCLUSION

I believe I have demonstrated that my expulsion cannot stand given the bias, lack of evidence, breach of confidentiality and hostility and prejudice shown towards me as a left-wing Jew. I have no confidence in the party's procedures to reach a fair assessment of my appeal because they demonstrably lack transparency, fairness and natural justice. This is as true of the supposedly Independent Review Board and Independent Complaints Board as it is of the GLU, all of which operate under the aegis of the General Secretary.

My appeal needs to be heard by a genuinely independent individual or group. I look forward to hearing who that will be, when I will be able to present my case to them, and what form of representation will be available for me. I also require a commitment that no private correspondence regarding this case should be communicated to any third parties.

Naomi Wimborne-Idrissi

28/12/2022