

Response to Notice of Allegation and Administrative Suspension received on September 22.

This is my submission to be taken into account during the investigation into the charge notified to me on Sept 22, 2022.

The Notice of Allegation was emailed to me three weeks after my election to the Party's National Executive Committee as a members' representative in the CLP section, and three days before the 2022 Party conference at which I should have been taking my place as an NEC member. The decision to suspend me has effectively deprived those members who cast their votes for me of representation on the NEC.

I submit that this disciplinary decision, relating to an alleged rule infringement 12 months previously, breaches the democratic rights of party members and cannot be justified.

I note that the decision was actioned shortly after bodies unconnected with the Party's democratic processes publicly called for my exclusion. I refer to a joint statement issued by the Board of Deputies of British Jews, the Jewish Leadership Council and the Community Security Trust demanding that I must "play no part in the disciplinary functions of the NEC and be kept off of (sic) any committees relating to equalities or the tackling of antisemitism." My suspension also coincided with the broadcast of the first of a series of Al-Jazeera documentary films "The Labour Files" in which I appear.

I submit that my suspension at this time was a consequence of political interference of exactly the kind that the EHRC said was unacceptable - a point reiterated by the Forde Report which found evidence that such interference continues under the current leadership.

Forde Report section D2.40 is clear that both the use of administrative suspension and application of the rules about Prohibited Acts "could increasingly give rise to accusations of factional bias and manipulation unless operated more clearly in line with the principles of natural justice."

This is especially true when, as in my case, there is no transparency about the reasoning behind the decision to suspend me and there have been clear, public interventions by partisan bodies attempting to influence the party's decisions. This state of affairs brings the party into disrepute. Hence the questions which form part of this submission to the investigation into my case.

In answering my questions truthfully and rescinding my suspension, the party has the opportunity to restore credibility to a manifestly unjust system, demonstrating the commitment to natural justice that we all wish to see in our democratic Labour Party.

I remind the Party of its duty to retain all communications and other documentation pertinent to this decision.

Regarding the specific allegation:

1) The stated allegation is that I have "committed a Prohibited Act contrary to the provisions of Chapter 2, Clause I.5 of the Party's rule book", ie: "Possessing membership of, providing financial assistance to, sitting on the ruling body of or 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 Labour Party."

I am charged with speaking at, or participating in, an Event organised by RESIST, LIEN and LAW on 27 September 2021 under the title 'McCarthyism and Starmer's Labour Party'.

In the case of two of these groupings, the only justification for their proscription is that they hold views at variance with those of the Party leadership. Such an authoritarian stance is reprehensible in a political party calling itself democratic.

In D2.44 Forde says of proscription: "we consider that the criteria and process for so designating organisations – and the boundaries of the definition of 'support' in this context – should be fair and transparent" and that "it would be preferable ... to set out examples and criteria which are to be of general application."

Forde is simply reiterating commonsense aspects of internal democratic governance. They have not been applied in my case (nor in many others), and this undermines the legitimacy of the allegation against me and the process by which it is being progressed, and therefore also the reputation of the party.

In any case, you have not provided any evidence for your charge against me of "otherwise supporting" these organisations. No member of the party could be expected to understand "support" in the way it has been interpreted in the charge against me. You have not shown that my alleged "support" is of the nature of the specific examples in Clause I.5. See the Ejusdem generis rule which as you will know requires that where there are general words following particular and specific words, the general words must be confined to things of the same kind as those specifically mentioned.

I submit that the allegation of having committed a Prohibited Act does not apply in my case because of the above points, and in addition, according to the "evidence" you yourselves present:

1.a) Advance publicity for the Event does not name me. It says there will be a speaker from Jewish Voice for Labour - an organisation independent of the named groups.

b) I am later named by the event organisers as speaking for JVL. I am JVL's media officer and so it is logical that I would speak in a discussion about the role of the media in Labour's partisan battles. *Doing so implies only an interest in the subject matter, not any support for, nor indeed any other connection with, the organisers of the event.*

c) This is especially true in this case, where the most prominent speaker was Professor Brian Cathcart, co-founder of Hacked-Off, who is neither a member of the Labour Party, nor of JVL, nor of any of the groups involved in organising the event in question. Prof Cathcart and I were colleagues working for Reuters in the 1980s in the Netherlands, where I was Chief

Correspondent and he was General News Correspondent. It was therefore particularly appropriate for me to join him as a speaker at the event in question. That I did so cannot reasonably be taken to mean "support" for any of the groups involved in organising the event.

d) In the light of the above, I submit that there is no justification for the charge of "otherwise supporting (as may be defined by the NEC)." Has the NEC looked at my specific case and made a politically motivated judgement about it? Or, given point 4) below, has some other post holder done so? What evidence can you provide to demonstrate that my suspension was not a consequence of factionally motivated political interference?

I submit that there is no evidence to show that my actions indicate support for any of the proscribed organisations, unless the rules are being interpreted for factional, politically motivated reasons. My suspension should therefore be lifted forthwith so that I can resume active membership of the Party, including taking up my position and duties as duly elected NEC member.

3) The Notice of Allegation states that I have been administratively suspended under "powers given to the NEC under Chapter 2, Clause 1.7.A of the Rule Book" pending the outcome of an internal Party investigation.

I therefore expect your speedy request for my availability to attend an interview with whoever is conducting this investigation; to being accompanied to the interview by a person of my choosing; and to being provided, in advance, with copies of all material that will be referred to in deciding the outcome of the investigation. I will do my best to make myself available at a time that works for your Panel.

4) The NoA also states that "a National Officer of the Party has determined to use powers delegated to them" to impose my suspension forthwith "in view of the urgency to protect the Party's reputation in the present situation."

In the interests of transparency required by any reputable disciplinary process, can you please explain:

4.a) who is the National Officer who "has determined" to use these delegated powers?

4.b) on what basis did this officer "determine" that my suspension was an urgent necessity, especially given that the claimed urgency cannot be based on the nature of the alleged offence, since that could have been invoked at any time since September 2021?

4.c) what is it about "the present situation" that makes it an urgent necessity to suspend the only Jewish candidate directly elected to the NEC in the recent elections?

4.d) What changed between Friday September 16, when the Party issued my Guest Pass (see email pasted below and attached photo of the pass which arrived at my house while I was in Liverpool) and Thursday Sept 22 when I was suspended?

In the absence of any valid reasons for taking such a decision, with such urgency, just before the start of party conference and so soon after my election to the NEC, I submit that there is no justification for my suspension and that it should be lifted immediately.

5) The NoA states that my membership will be terminated if an NEC panel finds that I have "committed a Prohibited Act." Further, in point viii) b) of your email dated Oct 14 it is stated that once the NEC panel has considered my case I will receive a letter from the General Secretary stating "*that the member's membership stands terminated.*" This suggests that the conclusion has already been drawn, which has worrying implications for natural justice, in a party led by a former Human Rights lawyer. In the interests of natural justice and transparency, I await notification in advance of the make-up of the panel which is to hear my case, so that I can be assured of its impartiality.

As stated above, I expect my administrative suspension to be lifted immediately and look forward to receiving your answers to my questions.

Please acknowledge receipt of this email and attachments.

Sincerely,

Naomi Wimborne-Idrissi

Email received from Conference Services on Friday Sept 16, 2022

Team Labour <conferenceservices@labour.org.uk>

To: xxxxxxxx

Fri, Sep 16 at 7:02 PM

Dear Naomi Wimborne-idrissi,

Thank you for your application to attend Annual Conference 2022 from Sunday 25 September to Wednesday 28 September in Liverpool.

I can confirm that your application has been successful. Your credentials have been dispatched. If you do not receive your credentials by Wednesday 21 September you can collect a replacement pass from Conference Services in Liverpool.

The Conference Services Office is located on the Concourse of the M&S Bank Arena at:

King's Dock, Kings Dock St, Liverpool L3 4FP

The opening hours are:

Friday 23 September 12pm - 7pm

Saturday 24 September 8am - 7pm

Sunday 25 September 8am - 7pm

Monday 26 September 8am - 7pm

Tuesday 27 September 8am - 7pm

Wednesday 28 September 8am - 12pm

If you are yet to secure your accommodation for Conference, our booking partner still have availability. Please visit their website for further details -

www.trustreservations.com/labour2022

There will be a **left luggage facility** available each day of Conference. This will be located on the concourse of the M&S Arena and will operate at the below times:

Sunday 25 - Tuesday 27 September - 8am - 6pm

Wednesday 28 September - 8am - 3pm

Please find attached a left luggage label if you wish to print in advance and attach to your luggage, there will also be labels available there to be populated and attached when leaving items.

All items in the left luggage need to be clearly labelled with your name and contact mobile number.

When dropping items of luggage in to the facility you will be asked to show your conference pass by stewards.

Any items left in the facility need to be collected at the end of each day.

If you would like further information about the Labour Party Annual Conference, please download our Annual Conference App here - <http://labourconferencedownload.com/>, or visit our website <http://labourconferenceapp.com/>

If you have any queries regarding your application, please contact the Conference Team on conferenceservices@labour.org.uk

Many thanks,

Conference Team
The Labour Party
Labour Central

**Kings Manor
Newcastle upon Tyne**