

## **National Executive Committee Update, March 2021**

The full NEC does not meet again till 25 May, when the elections will be all over bar the shouting, but there have been plenty of other meetings.

### **Justice and Home Affairs Policy Commission, 24 February 2021**

This was the only meeting to focus on policy. Shadow home secretary Nick Thomas-Symonds reported on the fire safety debate, where nearly four years after Grenfell people were still living with dangerous cladding. Leaseholders should not have to pay a penny for historic defects. Labour also continued to seek justice for the Windrush victims, where only one in five claims had been paid. In January the home office mislaid 400,000 items of police data, a failure which would previously have been a resigning matter.

On Covid-19 protection at the borders was inadequate from the start, with only 273 people quarantined up to 23 March 2020, out of 23 million arrivals, while infection seeded from all across Europe. Even now, limiting tests to “red-list” countries risked vaccine-resistant strains getting in. Turning to domestic abuse, the conviction rate for rape was shamefully low. He praised Jess Phillips for tabling dozens of amendments to the current bill, including priority housing for victims, scrapping the “rough sex” defence, making misogyny a hate crime and preventing alleged perpetrators questioning victims in family courts.

Commission members raised domestic violence within partnerships, and disincentives to report a positive Covid test where people could not afford to self-isolate. Nick Thomas-Symonds agreed that test, trace and isolate was not working in England, with £22 billion spent on failing private systems. By contrast in Wales, where following up was carried out by local government, up to 80% of contacts were reached. Workplace safety during the pandemic was compromised because the health and safety executive had been underfunded for years. Nick was thanked for his report and I asked, again, for party members to be kept informed of all the work done by the shadow teams.

### **Women in Danger**

Jess Phillips and shadow solicitor-general Ellie Reeves led a discussion on violence against women and girls. There should be a specialist unit within the crown prosecution service (CPS), and victims needed legally-qualified advocates to support them through every stage. Lengthy delays reduced convictions further as memories faded. Local authorities were getting some money, but this must go to specialist refuges, not unscrupulous landlords, and migrant women should have a right to seek refuge. Jess was sceptical about relying on lie-detector tests to monitor perpetrators. While many changes had to wait until Labour won a general election, Labour councils could and should use their powers to act now. [*Since the meeting the shocking murder of Sarah Everard and the demonstrations which followed have brought these issues into daylight, and Labour could not have a better team to put the safety of women and girls first.*]

Looking forward, the next meeting on 12 May would discuss electoral reform, by far the most popular topic for submissions, with future meetings on devolution, immigration, and perhaps an event for members on future relationships with the European Union, while avoiding the dreaded B-word. I asked about progress with the review of policy development, which seems to have stalled.

### **Women’s Sub-Committee, 4 March 2021**

This meeting focused on preparations for the national women’s conference, with motions, elections and formal sessions on Saturday / Sunday 26 / 27 June. The party was evaluating bids for the online platform and voting technology, and working to ensure that everything is fully accessible. Fringe events could be held in the preceding week. However if lockdown restrictions were lifted from 21 June there would be competing attractions. The deadline for delegates, motions and nominations to the national women’s committee (NWC) had been extended to 26 May. The local government representative on the NWC, unlike CLP representatives, would be elected in a one-councillor-one-vote ballot, not at the conference.

As in 2019, where CLPs sent two delegates at least one was expected to identify as BAME, LGBT+ or disabled. However the NEC had also agreed positive action for young members, and the committee supported flexibility in individual cases. Some argued that CLPs were entitled to submit rule changes as well as motions. However, while the procedures governing women’s conference are on the website they have not yet been incorporated into the rulebook, and so technically cannot be amended this year.

Marsha de Cordova, shadow secretary for women and equalities, reported on her work around international women's day, the TUC women's conference and other events. The budget had done nothing to tackle inequalities, particularly for women, and there was little progress on reducing the gender pay gap.

The committee urged support for all CLPs in setting up women's branches, where progress is being delayed by the elections. The term "branch" is causing some confusion. Entitlement to general committee delegates cannot be on the same basis as geographical branches. Nor does the secretary of a women's branch have a place on the executive committee, where the women's officer is expected to represent women members. On communication, CLPs can ask for the women's officer to be one of the six officers granted access to membership systems, so she can contact local women. But the real test of all these changes is whether they make Labour more attractive to women, still only 43% of the membership.

### **When is a Deadline not a Deadline?**

The deadline for delegates and nominations for annual conference remains at 11 June 2021. In February the following paragraph was discovered on the party website:

*Where a CLP which organises on a delegate model has not held an AGM for whatever reason within the last 12 months, delegates to Annual Conference or any other body should not normally be appointed until the 2021 AGM at the earliest.*

This caused considerable alarm among CLPs, previously told to hold AGMs by 31 July 2021, and also that they could not meet in March because of elections. Although the text has not been changed, the general secretary assured me that no CLP will be prevented from sending delegates, which I think means that the deadline will be extended to 31 July in selected cases. Please contact me with any problems.

### **Equalities Committee, 4 March 2021**

The meeting started with reports from stakeholder groups including Disability Labour, who were disappointed with the budget. There was no mention of social care, or the impact of protracted lockdown on mental health, and long Covid was a growing concern. The NEC bursary group, which will consider financial support for disabled and low-income candidates, was due to start meeting again soon. A new statement on trans rights would come back to the committee after further consultation.

The Labour Muslim Network welcomed the action plan for tackling Islamophobia, and stressed that implementation was urgent. They were keen to engage with the leadership, and expected Labour to condemn the appointment of William Shawcross to review Prevent, the controversial "anti-radicalisation" programme. Among other alarming statements he said, in 2012: *"Europe and Islam is one of the greatest, most terrifying problems of our future."* They pointed out that the May elections fall within Ramadan, and reiterated their commitment to getting out the Labour vote, as well as holding the party to account.

The senior adviser on standards and ethics gave an update on the EHRC action plan. All NEC and national constitutional committee (NCC) members are expected to complete a session on Deciding Officer Skills, a programme to support us in *"making rigorous, robust, fair and thorough decisions and to reach conclusions which are fit for purpose and which will withstand scrutiny"* Training on anti-semitism would roll out from the NEC / NCC to MPs, councillors and, after the May elections, to local party officers. Similar measures for other protected characteristics were being progressed as fast as possible.

### **Gypsy, Roma and Traveller Working Group**

Since this paper began wending its way through Labour's committees the International Holocaust Remembrance Alliance (IHRA) had published a definition of anti-gypsyism in October 2020 and the majority agreed that the working group should use this as a starting point for developing guidelines and training, and overcoming barriers. Attempts to devise the party's own statements on anti-semitism led to years of acrimony which ended with adopting the IHRA definition and examples in full. The group will include eight representatives from GRT communities, James Asser as chair of the equalities committee, Carol Sewell as the NEC BAME representative, CLP member Laura Pidcock and Andi Fox from the unions.

## Unity in Diversity

The committee then discussed promoting a more diverse range of candidates. In January the organisation committee authorised extra due diligence checks but, as predicted, the term “high-quality candidates” had alienated many, as did the language used when writing to candidates already selected. I remain concerned that there is too little time to do this properly, and the few who are genuinely problematic will slip through the net. The difficulty of defining “class” was raised, and members questioned the apparent assumption that BAME candidates should only expect to stand where there are large BAME communities. BAME Tory MPs represent overwhelmingly white constituencies, and Labour should be no less ambitious.

## Disputes Panel, 11 March 2021

The panel welcomed well-presented statistics on membership appeals, disputes sub-panel decisions, auto-exclusions, suspensions, sexual harassment cases and NCC (national constitutional committee) referrals, and summaries would be published on the party website. All were moving in the right direction, but far too slowly. Around 100 members have been suspended for more than 18 months, and behind every number is an individual story of exclusion and lost opportunities. I know of one who has been waiting three years for resolution of what seems to be an internal local disagreement, another, waiting two years, who has lost their position as a Labour councillor. Others, suspended more recently, have been replaced as Labour candidates without waiting for an outcome, despite assurances that candidates and councillors were prioritised, and cases relating to non-competent business should mostly be resolved by the end of March.. And no victim of sexual harassment should have to spend two years in fear of attending her local meetings.

The new head of complaints is determined to develop unified systems and make inroads into the backlog. All procedures will be drawn together in a simple and accessible handbook. However, reducing the volume should also be a priority. I still believe that the party must employ more staff, or suspend fewer members. However the criteria for suspension were drawn up by the in-house QC Gordon Nardell and agreed by the NEC in March 2019 and must be followed. I would also like to allow appeals against expulsion for supporting other political organisations, as some cases are not clear-cut, but that may need a rule change.

## Organisation Committee, 11 March 2021

This was followed by a five-hour meeting of the organisation committee, and I agree with Howard Beckett of Unite, who tweeted: *“Of all of the Labour NECs I have attended today's was the most depressing”*, though for somewhat different reasons.

We started by arguing over the minutes of the last meeting, where a move to insert words that the general secretary had not said was rejected by 16 votes to four. This was followed by an update on the mechanics of the election campaign, including numbers of candidates and phone-canvassing sessions. In England leaflets could now be delivered and door-knocking in pairs was permitted, with further relaxation expected on 29 March. The website would include nation-specific guidance. On policy, voters had a clear message: vote Labour to support nurses and the NHS. This is the only area where Labour consistently polls ahead of the Tories, and even that may be in doubt with the success of the vaccination programme. It is not enough.

## Glasses Half-Full or Empty

Some NEC members reported active campaigns and good relations with the unions, and added positive ideas. Others were devoid of hope. On mayoral candidates, the NEC delegated shortlisting powers to the panel, including regional representatives. They were the only people with full information and should be trusted and supported, not abused on Twitter. Scottish candidates were a matter for the Scottish executive.

The senior adviser on standards and ethics gave another update on the EHRC plan. The aim was to rebuild trust and confidence through enhanced due diligence, codes of conduct, education and training and culture change. Following helpful amendments from Mish Rahman the code of conduct on social media was adopted. It was clarified that social media covers activity on networked devices. It does not apply to phone calls, texts or personal WhatsApp conversations, which are protected by legal rights to privacy.

The code on confidentiality and privacy was less straightforward. NEC papers should not be leaked, but extending confidentiality to discussions in national committees would mean that I have been breaking the code for 20 years, and am doing so now. Trade union members need to confer with colleagues, and CLP representatives can only communicate by email and on social media. This will return to a future meeting.

Discussion on how to develop codes of conduct relating to Islamophobia and anti-Black racism centred on the stage at which NEC members would be involved, and I believe this was settled amicably. Codes on transphobia, LGBT+ prejudice and gender discrimination would follow. These were being held up by the May elections, but in the meantime general party rules apply, and prejudiced, discriminatory or offensive behaviour is already outwith party rules.

## **Organising to Win**

The paper on aims and objectives – to become a winning political party which is voter and election-centric and a healthy functioning organisation – was deferred from February's NEC meeting. I welcomed the commitment to a clear political strategy based on our core values, led from the leader's office and informed by top-quality data, and looked forward to hearing more about it. No-one else spoke on this item.

Instead we moved on to the new BAME national structures, including an annual national BAME conference (NBCConference), a national BAME committee (NBC) and regional BAME committees. After five meetings a working group had reached consensus on most aspects, but remaining bones of contention were the method of electing CLP representatives to the NBC and the NBC chair, and the role of BAME Labour. I've always been committed to one-member-one-vote elections, regardless of factional advantage, and achieved this for the national policy forum in 2009 and the conference arrangements committee in 2016. I therefore supported electing the CLP representatives through a ballot of all self-identifying BAME members, but lost 10-17, and they will be elected by delegates to the NBCConference on a card vote basis. Not all CLPs will send delegates, and card votes are weighted by all members, including the white majority.

However for the chair of the NBC I supported an electoral college (50% CLPs / 50% unions) at the NBCConference, as OMOV would cut the trade unions out, and this was carried 20-8. Finally I supported two seats on the NBC for BAME Labour, formally affiliated as a socialist society, which was carried 16-8.

The committee adopted the paper on the Gypsy, Roma and Traveller working group after rerunning the equalities committee debate. I highlighted the urgent threat to travellers by government proposals to make trespass on private land a criminal offence. Regional rules for the East of England, the North, the North West and the West Midlands were agreed, and those for other regions will come to the next meeting

## **Socialism and Priorities**

Twenty-two motions from CLPs were circulated, and a motion from Wallasey gained much support. This noted that virtual meetings allowed many members to become more involved, and many disabled members found meetings more inclusive. However those who were hard of hearing struggled, and the general secretary was asked to review the software and advise party units on making meetings accessible to all.

Four motions described Labour as in crisis and demanded that conference should be recalled. Some NEC members proposed a snap vote on whether to do this, so we can debate our difficulties openly. Others argued that the object of the party was to win elections. Apart from the costs and practicalities of organising a third national conference within six months, in the middle of a pandemic and an election campaign, it was unrealistic to believe that this would achieve genuine unity or broaden Labour's appeal.

The chair, rightly in my view, ruled a vote out of order. Some members said this made it a pointless waste of time for local parties to send motions at all. But procedures for handling CLP motions were agreed unanimously by those present at the November NEC meeting, where this could have been raised.

However I'm aware of the concerns which lie behind these motions. I am doing what I can to reduce internal tensions, and I stress, to anyone who will listen, the need for visible policy development and communication with members. Through the past 20 years NEC members, including myself, have criticised policies and party management, but always with the aim of changing these for the better, and always hoping that Labour will succeed rather than fail. That shared aspiration seems to have gone missing.

## **And Finally ...**

The committee agreed to suspend West Ham and East Ham CLPs while various issues were investigated. Before closing, the chair Wendy Nichols reminded us of Labour's primary objective: to win as many seats as possible, at every level, in the elections now less than two months away.

As usual please feel free to circulate and/or post online, and comments and questions are always welcome.

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