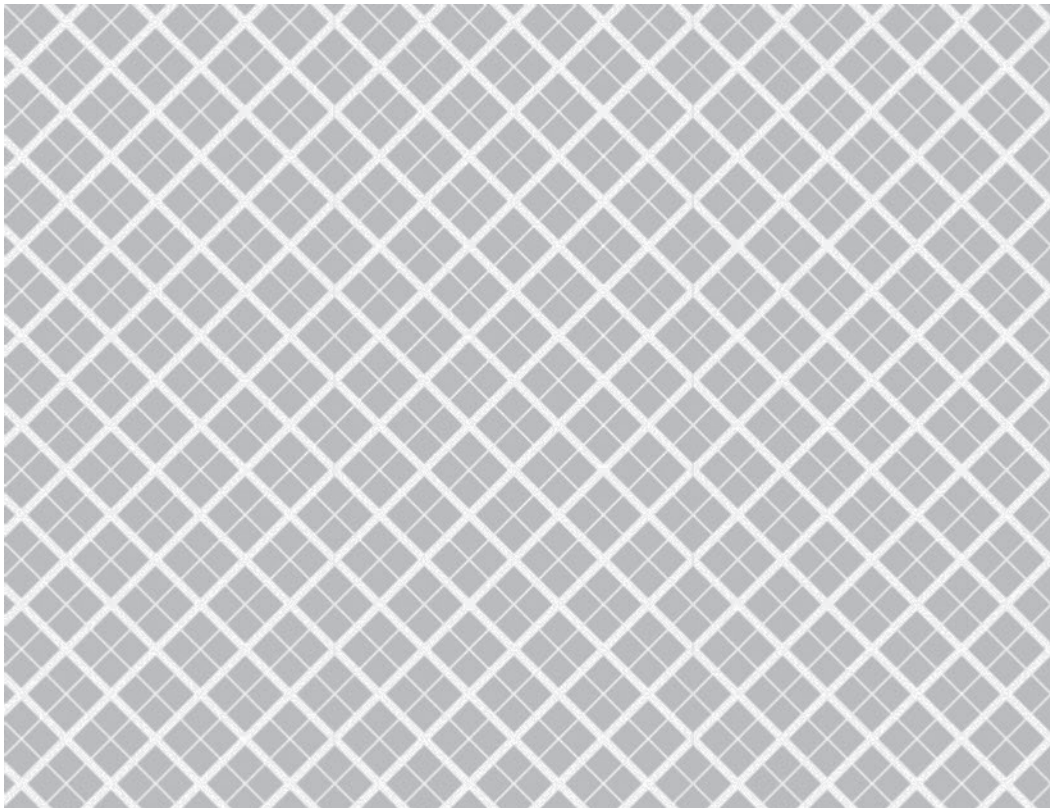


# Reports to Conference

*Spring Conference 2016*



# REPORTS TO CONFERENCE

SPRING 2016

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# **Federal Conference Committee**

## **Bournemouth 2015**

Last autumn we held our conference in Bournemouth. This proves to be one of the more popular venues we visit with 88% of members rating it as an excellent or good venue for an autumn conference.

We asked attendees how they felt about the earlier finish time on the final day. 60% of those that responded said they preferred the earlier finish time with only 9% saying they preferred to break for lunch. Next autumn we are trialing greater use of the weekend (see below for details).

We will continue to ask all attendees to complete an online feedback questionnaire. Nearly 700 attendees completed the last questionnaire. I would urge all members to take the time to participate. It is incredibly useful to the conference office and FCC and does influence whether we visit a venue again and if we do, what changes we need to try and make.

## **FCC Changes**

Since my last report to conference Kaavya Kaushik has stood down as one of the two FE reps on FCC. At the time of writing this report FE have not yet elected a replacement.

## **York 2016**

We are trying something new at this year's Spring Conference. The Autumn Conference saw a record-breaking members' attendance with more first time conference attendees than ever before and we are keen for even more members to come to conference and actively engage with the Party's policy making process.

York will be the first conference under One Member One Vote and in light of this we reviewed, amongst other things, the current registration system. We will now only be offering a full Member's registration option so that everyone attending has the right to speak, vote and receive conference papers. This means that we will no longer be offering day visitor passes at Spring Conference.

The original idea behind day visitor passes was to encourage members to get a taste of conference and encourage more attendance. It was felt that rather than offering an additional, more restrictive, 'taster day pass' it makes more sense to reduce the first timer's rate to conference to enable those trying out conference to get the full experience. Therefore

the first timer's rate for the spring conference has been reduced to just £35 for the whole weekend.

Further, we are looking at ways to better support members to overcome barriers to coming to conference through a Conference Access Grant.

## **Motions**

As always, every item on the agenda is still open to amendment. The deadline for submitting amendments – and also emergency motions and questions to reports – is 13.00 on 8<sup>th</sup> March.

We continue to provide a drafting advisory service, and I would encourage all emergency motion and amendment submitters to make use of it – those who have used it in the past have had a much higher chance of having theirs accepted. The deadline for the advisory service for amendments and emergency motions is 13.00 on 23<sup>rd</sup> February, so please do use the service. Amendments and drafts can be submitted via the website: [www.libdems.org.uk/conference\\_submissions](http://www.libdems.org.uk/conference_submissions)

## **Agenda**

We do not have any policy papers from FPC but that doesn't mean we will not be debating policy! We have also selected a range of interesting motions as well as consultation sessions on Agenda 2020 and the FE's governance review.

## **Autumn 2016**

This autumn we return to Brighton. The conference takes place from 17<sup>th</sup> – 20<sup>th</sup> September. The deadlines are:

- Drafting advice deadline (motions) 13.00 Wednesday 15th June 2016
- Motions deadline 13.00 Wednesday 29th June 2016
- Drafting advice deadline 13.00 Monday 22nd August 2016 (amendments, emergency motions)
- Deadline for amendments to motions, 13.00 Monday 5th September 2016

We are very mindful of the cost of attending conference. The cost of coming to conference as well as the overall length is often raised in feedback from members. As well as keeping registrations rates as low as possible to members, launching the conference access fund and negotiating discounts on travel costs we have been looking at the length of the autumn conference. The main costs of attending conference, for

most people, is having to take time off work and the cost of accommodation. Many members are not able to take the time off work. There is also increasing pressure on all political parties to reduce the length of all political conferences to minimise the impact on parliamentary time.

We have looked at ways of making full use of the Saturday to help those who can only come for a weekend as well as reducing the length of conference to try and keep down accommodation costs, while maintaining the amount of time available for 'member led policy motions'. Though conference does remain an income generator, we have also looked at ways of reducing the cost of conference to the Federal Party.

The autumn conference in Brighton this year will start at 9.00 am on Saturday morning. This will be the start of conference proper and the consultations sessions will be run as part of a longer fringe meeting slot. We will finish at approximately 3.30pm on Tuesday. This means we will have the same amount of time for member-initiated motions. Many members will still use the opportunity to enjoy an extra day or two in Brighton but it is hoped the revised timing will save some members money and also enable more members to come to conference. It will also mean that those who just can come for a weekend get a full day on the Saturday.

We will be trialling this change for one year and will consult with people as to how they felt it worked before deciding whether to do it again in 2017.

## **Stewards**

As always, conference can only take place due to the massive contribution and efforts of the volunteer stewarding team, who look after the exhibition, fringe, information desk, stage and auditorium, to ensure that we all get the most out of conference.

## **Federal Conference Committee**

FCC members are here to help you make the most of conference – do feel free to ask us any questions you may have relating to the agenda and how to speak in debates. As well as finding a member of the committee at the FCC Helpdesk you can identify us by the badges we wear, with 'FCC' prominently displayed; there are also pictures of us on page 2 of the Agenda and Directory. Given when some of the photographs were taken you may have difficulty recognising some of us from our photos!

FCC members are assigned to state and English regional parties, and SAOs. The idea is that they provide advice and assistance on submitting motions and when requested attend conferences to answer your questions. See the contact details at the end of this report, and don't hesitate to get in touch with the relevant FCC member.

## **Thanks**

The vast bulk of the hard work of organising conference throughout the year falls on the professional staff in the Conference Office at HQ: Sian Waddington and her team Emma Price and Aisha Zeina. I would also like to express my grateful thanks to all the others who make conference possible: to all my colleagues on the Conference Committee; to all the staff at HQ, in particular the Policy Team, led by Christian Moon, who process the motions and prepare much of the agenda material; and of course to the stewards' team.

Conference is a fantastic event to be involved in I look forward to seeing you in York.

**Andrew Wiseman**  
**Chair, Federal Conference Committee**  
**February 2015**

# Federal Policy Committee

The Federal Policy Committee is responsible for researching and developing policy and overseeing the Federal Party's policy-making process. This includes producing policy papers for debate at conference, and drawing up (in consultation with the parliamentary party) the Federal election manifestos for Westminster and European elections.

The FPC has 29 voting members: the Party Leader, four other MPs, the Party President, one peer, one MEP, three councillors, three state party reps and fifteen members directly elected by conference reps. It must be chaired by an MP, and is currently chaired by the Leader.

## Committee Issues

I am delighted to have been elected as Chair of the Federal Policy Committee and look forward to working with the Committee to ensure the party has a distinctive and forward-looking programme of policy development.

I want to thank Vice Chairs Duncan Brack and Julie Smith for their work as effective co-chairs of FPC in the immediate aftermath of the general election. Congratulations are due to Norman Lamb who was elected to the vacant MP Vice Chair post. We now have a really strong officer team.

## Agenda 2020

As already mentioned, the Agenda 2020 review which was launched last year is the focus of FPC's work for most of 2016. A preliminary consultation paper and a collection of essays were published last summer to stimulate a debate within the party on the party's values and philosophy and our policy priorities, and two consultation sessions were held at the Bournemouth Conference. Since then we have received over 70 submissions from local parties and individual members, and also run a very popular essay competition, the winner of which will be announced at York.

The FPC is bringing a further, much fuller consultation paper to the York conference for another consultation session, focusing more on the specific policy challenges facing Britain in the coming years. Based on responses to this paper, the FPC will bring a final report to the Autumn Conference in Brighton, which will include a full programme of policy

development work for the rest of this Parliament. The FPC will however have to decide on a preliminary small group of policy working groups to set up to report to Autumn 2017 before then, in order to allow for the necessary lead time.

## **FPC Work Programme**

In addition to the work on Agenda 2020, since the last conference working groups appointed by the FPC have produced consultation papers on Liberty and Security and Social Security which will each be the subject of a consultation session at York.

The FPC has also put forward two policy motions for discussion at York; one on the Investigatory Powers Bill, which flows from the work of the Liberty and Security group, and one on the creation of a regulatory framework for the legalisation of cannabis which flows from the work of the Independent Expert Panel convened by Norman Lamb. Both of these motions put forward strong liberal proposals for debate.

Following the debate on Trident at the Bournemouth Conference, the FPC has recently appointed a working group on the nuclear deterrent to take forward the mandate given by conference. The group is being chaired by Neil Stockley.

The current schedule of consultation and policy papers is set out below:

<b>Working Group</b>	<b>Consultation Session</b>	<b>Policy Paper</b>
Liberty and Security	York 2016	Brighton 2016
Social Security	York 2016	Brighton 2016
Agenda 2020	York 2016	Brighton 2016
Sex Work	Brighton 2016	Spring 2017
Nuclear Deterrent	Brighton 2016	Spring 2017

## **Policy Process Review**

Following the consultation session at conference to review the party's policy-making process and the written submissions received, FPC agreed in November a series of actions to improve the ways in which we manage the policy-making process and has appointed a small group of FPC members to monitor progress on implementation.



## FPC Links

To encourage policy debate across the party FPC representatives take responsibility for promoting policy debate within the regions of England, including attending regional conferences where appropriate.

Region	
Devon & Cornwall	Peter Price
East of England	Geoff Payne
East Midlands	Linda Jack
London	Mark Pack, Geoff Payne
Northern	Gareth Epps
North West	Julie Smith
South Central	Keith House
South East	Kelly-Marie Blundell
West Midlands	Phil Bennion
Western Counties	Peter Price
Yorkshire & the Humber	Duncan Brack

The FPC has also appointed representatives to Party SAOs:

SAO	
ALDES	Jenny Woods
ALDC	Mark Pack
LGBT+	Evan Harris
WLD	Rebecca Taylor, Belinda Brooks-Gordon
Liberal Youth	Kelly-Marie Blundell, Linda Jack
PCA	Julie Smith
Liberal Democrat Lawyers	Jonathan Marks
EMLD	Linda Jack
LDDA	Kelly-Marie Blundell

In addition, there is a Liberal Youth observer on FPC (Emily Tester) and an EMLD observer (Ruwan Uduwera-Perera).

## Policy Staffing and Volunteers

The Policy Unit consists of Christian Moon (Head of Policy), Rachael Clarke (Deputy Head of Policy), Iain Porter (on secondment from KPMG) and James de Jonge (on secondment from PwC). We have also benefitted from the secondment on a part-time basis of Isabelle Pulcher from the Swedish Centerpartiet.

Since the last FPC report there has been a significant re-organisation of staff, and we have had a number of people moving on including Steve O'Neil (former Deputy Head of Policy), Ed Simpson (former Direct Communications Manager), Kelsey Smith (former Correspondence Assistant) and Rosie Gray (former Correspondence Assistant). The FPC is grateful for the hard work of all these staff, past and present.

**Tim Farron MP**  
**Chair, Federal Policy Committee**  
**February 2016**

# Federal Executive

The Federal Executive is responsible for directing, co-ordinating and implementing the work of the Federal Party, including overall strategy, campaigning, organisation, and staffing. The Federal Finance and Administration Committee (see below) and the Campaigns and Communications Committee both report to the FE.

The FE has 29 voting members: the Party President (Chair), three Vice-Presidents, the Leader, two additional MPs, one peer, one MEP, two councillors, three State Party reps and fifteen members elected directly by Federal Conference Reps.

## Introduction

In the brief three months since Autumn Conference, the Federal Executive (FE) has spent much time on discussing the urgent priorities that the party has faced in the aftermath of the 2015 General Election. This has included joint meetings with the Federal Finance and Administration Committee (FFAC) to discuss the staff re-organisation and reviewing budget priorities. We have also discussed the upcoming 2016 elections and received a presentation from the English Candidates Committee Chair on the General Election Candidate Review and the arrangements for the Police and Crime Commissioner elections. Inevitably, the Governance Review (details below) has taken some time.

## OMOV for Committee Elections

Last September, Conference approved Constitutional Amendments bringing in One Member One Vote for Conference.

However, the Federal Executive subsequently received advice from the Chair of the Federal Appeals Panel that the Committee Election Regulations would need to be changed in order for the next set of Committee elections to be conducted by One Member One Vote. That's why local parties were advised to elect Federal and Regional Conference representatives for this year.

We now ask Conference to ratify the amended regulations which are attached to this report. The substantive changes are:

- a) a change in the requirement for nominations from 2 Conference Representatives to 10 party members

- b) deletion of the paragraph which forbade online campaigning which was an anachronism in these days of free social media
- c) the removal of a comma in paragraph 4d
- d) a change from forbidding candidates to publish anything in support of their candidacy in any official party publication (previously Liberal Democrat News)
- e) inclusion of a prompt to view candidates' manifestos before being able to cast a vote electronically.

In October 2014, Conference required FE to “consult fully within the party, and then submit a properly written constitutional amendment to a conference before the 2016 round of committee elections, to enable conference to debate arrangements for gender and any other quotas for future elections.”

This is being done as part of the Governance Review

### **Leadership and Presidential Election Regulations**

FE is required to review the Leadership and Presidential Election Regulations after each election. We are now seeking feedback on whether there should be any changes. If you would like to suggest any changes, please submit them by email to [president@libdems.org.uk](mailto:president@libdems.org.uk) by noon on 28th March 2016.

The regulations can be found at end of the Federal Constitution [https://d3n8a8pro7vhmx.cloudfront.net/libdems/pages/376/attachments/original/1447697532/LD\\_Federal\\_Constitution.pdf?1447697532](https://d3n8a8pro7vhmx.cloudfront.net/libdems/pages/376/attachments/original/1447697532/LD_Federal_Constitution.pdf?1447697532)

### **General Election Review**

The Campaigns and Communications Committee has carried out a review following last year's General Election. The review team consulted widely - both with key individuals involved in the campaign and with the wider party. 7500 responses were received from members to the post-election survey. The process included a consultation session at Autumn Conference last year, where members were invited to provide feedback on a number of key areas on which the review was focussing.

The Federal Executive has seen draft versions of the report and provided its views on the findings. At the time of writing it is anticipated the review's report will be published and made available to party members by the end of February.

## **Governance Review**

The Federal Executive is grateful to the more than 2,000 members who responded to the Party Governance consultation at the consultation session at Bournemouth Conference, at State or Regional conference, online via the survey, and by email or post. These invaluable contributions have formed the basis for discussions within the Governance Review Task and Finish Group, and at FE meetings.

The Governance Review is now publishing the next steps consultation document, which will be discussed at Spring Conference in York. That document, which can be found on the party's website, outlines the details of some of the conclusions reached as a result of the consultation and what has already been changed as a result of member feedback. It proposes a number of key design principles based on the consultation and ensuing discussions. Our proposals will be developed over the coming months, with final proposals for Conference in the autumn.

We encourage members to continue to feed their views in – all submissions will be read and will contribute to deciding what needs to be altered in the proposals.

**Sal Brinton**

**Party President**

**Chair of the Federal Executive**

## COMMITTEE ELECTION REGULATIONS<sup>1</sup>

1. The Chair of the Federal Appeals Panel shall be the Returning Officer. The rules of the Federal appeals panel shall make provision for a process to replace the Chair in this role if necessary. The Chief Executive shall be the Acting Returning Officer. The Deputy Acting Returning Officer will be the Head of Compliance and Constitutional Support. Other Deputy Acting Returning Officers may be appointed if required.
2. The Federal Executive shall draw up a timetable for each year's receipts of nominations, dispatch and return of ballot papers and the counting of the votes for each election covered by these regulations. The Returning Officer may make provision for voters who wish to do so to cast their ballots electronically, and to view the candidates' election addresses electronically. The Returning Officer may carry out electronic communications with the electorate to facilitate the election.
3. Nominations may be submitted by:
  - (a) Any Local Party;
  - (b) Any Regional Party;
  - (c) Any State Party;
  - (d) Any Specified Associated Organisations; or
  - (e) Any ten party members.

and must be accompanied by the written consent of the candidate. For the election of Councillor Reps see rule 15(b).

4.
  - (a) Each candidate shall be entitled to include in the mailing of ballot papers for each election in which he or she is a candidate a personal election address covering up to one side of A5 paper, printed by and at the expense of the Federal Party. Election address artwork in camera ready form as a high resolution PDF or text-only Word document must reach the Acting Returning Officer at an address and by a date to be notified.
  - (b) The Returning Officer may make provision for voters to view the candidates' election addresses electronically as well as, or instead of, through the postal mailing.
  - (c) Each candidate shall be responsible for supplying material that verifies, to the satisfaction of the Acting Returning Officer,

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<sup>1</sup> Amended Feb. 2016. A separate set of regulations apply for Interim Peer Elections.

any statement in his or her personal election address claiming that he or she is endorsed by any individual or organisation. Such material must accompany the candidate's personal election address artwork.

(d) Candidates must not carry out any activities during the election period which may be viewed as treating.

5. The Returning Officer may make provision for voters who wish to do so to cast their ballots electronically. Any online voting system shall prompt members to look at candidates' manifestos prior to voting.
6. The names and addresses of party members are confidential and shall not be released for the purposes of the election.
7. (a) No official party publication may accept advertisements in support of or in opposition to candidates.  
(b) Candidates may not use official party publications to specifically promote their candidacy but all other articles are permissible.
8. No material published or circulated by or on behalf of a candidate shall defame by name or implication any other candidate and no candidate shall so defame any other candidate in the course of personal canvassing.
9. The Returning Officer shall have the power to disqualify before declaration of the result, or unseat if declared elected, any candidate who is found to be in breach of regulations 4 or 8, but shall not exercise such power without first offering any such candidate the right to make representation, and having regard thereto.
10. All contested elections shall be conducted by secret ballot and the single transferable vote. Counts shall be conducted in accordance with the current edition of the Electoral Reform Society's publication How to Conduct an Election by the Single Transferable Vote. If the Specified Proportions of men and women are not elected by the operation of the above rules, the Returning Officer shall conduct such further counts as he or she considers necessary and declare elected those members of the under-represented sex and declare not elected those members of the over-represented sex who would or would not have been elected

to committees with such larger and smaller numbers of members as would cause the correct number of that sex to be elected.

11. Casual vacancies occurring shall be filled by recounting the original ballot papers in the election, passing over any preferences for any candidate causing a vacancy. If necessary, further counts shall be conducted using the principles set out in regulation 10 to ensure that all candidates originally elected so remain and that the Specified Proportions of men and women are maintained.
12. Any party member may lodge, in writing, a formal complaint of infringement of election regulations forthwith upon becoming aware of any alleged infringement and not more than 21 days after the declaration. The written complaint should be addressed to the Acting Returning Officer and specify in detail the nature of the infringement. The Returning Officer shall then decide, in full consultation with the Acting Returning Officer, whether there is sufficient evidence and grounds to uphold the complaint, but shall not do so without offering any candidate concerned the right to make representations, and having regard thereto.
13. Appeals against decisions of the Returning Officer must be referred to the Federal Appeals Panel within 14 days of the decision. For the purposes of appeals under these regulations the Chair of the Federal Appeals Panel shall not act as a member of the Federal Appeals Panel, and other Panel members shall appoint one of their number as Acting Chair.
14. If a complaint is made prior to the declaration of the result, the Returning Officer shall have the power to postpone such declaration until the determination of such complaint or, where an appeal is made against his decision, until the determination of such appeal.
15. (a) These Regulations shall be used for the biennial elections to the Federal Executive, Federal Conference Committee, Federal Policy Committee, International Relations Committee and ELDR Delegation.  
(b) They shall also be used for the election of Principal Councillor Representatives on the Federal Executive and the Federal Policy Committee except section three shall read: Nominations shall be submitted by any two Principal Councillors with valid membership and must be accompanied by the written consent of the candidate.



## Appendix I: SAO/AO/Regional Contacts

The FE has allocated members to liaise with various SAOs, AOs and Regional parties. If you want to get in touch with one of the members, please email [president@libdems.org.uk](mailto:president@libdems.org.uk)

<b>Region</b>	
Devon & Cornwall	Neil Fawcett
East Midlands	Josh Dixon
East of England	Dan Farthing
London	Jonathan Fryer
North East	Caron Lindsay
North West	Gordon Lishman
South Central	Martin Tod
South East	Anthony Hook
West Midlands	Chris White
Western Counties	Keith House
Yorkshire & the Humber	Kath Pinnock

<b>Specified Associated Organisations</b>	
Agents' and Organisers' Association	Chris White
	Kath Pinnock
ALDES (Association of Liberal Democrat Engineers and Scientists)	Steve Jarvis
EMLD (Ethnic Minority Liberal Democrats)	Pauline Pearce
LDLA (Liberal Democrat Lawyers' Association)	Martin Tod
LGBT+ (Previously known as DELGA)	Rodney Berman
Liberal Youth	Josh Dixon
PCA (Parliamentary Candidates Association)	Kavya Kaushik
WLD (Women Liberal Democrats)	Sue Doughty

<b>Associated Organisations</b>	
ALDTU (Association of Liberal Democrat Trade Unionists)	Josh Dixon
Chinese Liberal Democrats	Candy Piercy
Green Liberal Democrats	Neil Fawcett
Humanist and Secularist Liberal Democrats	Gordon Lishman
LDDA (Liberal Democrat Disability Association)	Dan Farthing
LDEA (Liberal Democrat Education Association)	Kavya Kaushik
LDER (Liberal Democrats for Electoral Reform)	Martin Tod
LDCF (Liberal Democrat Christian Forum)	Chris White
LDEG (Liberal Democrat European Group)	Anthony Hook
LDFAF (Liberal Democrat Friends of the Armed Forces)	Candy Piercy
Liberal Democrat Friends of Israel	Sue Doughty
Liberal Democrat Friends of Kashmir	<i>TBC</i>
Liberal Democrat Friends of Pakistan	Gordon Lishman
Liberal Democrat Friends of Palestine	Jonathan Fryer
Liberal Democrats for Peace and Security	Dan Farthing
Liberal International (British Group)	Candy Piercy

# Federal Finance & Administration Committee

## 2015 results

As flagged up in the report to last autumn's conference, 2015 was a difficult year financially for the Party following the disappointing result in the General Election. The immediate effect was a substantial drop in conference income particularly from commercial exhibitors and observers. Whilst every effort was made to reduce conference costs there was, nevertheless, a significant shortfall (c.£750k) in the net contribution from autumn conference.

UKIP's success in two by-elections towards the end of the last parliament meant that it qualified for a share of the Policy Development Fund grant for 2015/16 resulting in a lower amount being received by ourselves.

Overall other income was broadly in line with budget.

Non-conference expenditure on the operational fund was also broadly in line with budget.

Campaign expenditure was marginally above budget but there was a significant shortfall in income from large donors resulting in a net deficit of c£750k against a budgeted figure of £150k.

After expenses the Legacy Fund produced a surplus of c£150k.

Overall the Party's deficit for 2015 will be around £1.7m though it started the year with reserves of almost £800k following surpluses in 2013 and 2014 of £439k and £1,490k respectively. The accumulated deficit at the year-end will be approx. £900k.

## 2016 budget

With a hard fought General Election, 2015 experienced very high expenses.

The 2016 budget has been adversely affected by the Chancellor's announcement that the cost of politics be reduced by 19%. This has reduced expected PDF income by approx. £65k (increasing to £85k in 2017).

Planning permission has been granted for owners of LDHQ to convert the entire building to residential use. Even if the Party were to remain in situ for an interim period, a significant increase in rent is expected due

to a rent review in June 2016. The budget for 2016 reflects the higher cost. Whilst the cost of a move is likely to offset any saving achievable in 2016 it could lead to annual cost savings of £150-200k from 2017 onwards.

Overall the budget is cash positive and further work is being carried out to achieve a satisfactory surplus for the year. The outturn income and expenditure is therefore likely to change significantly.

The headline budget is included in appendix 1 attached.

## **PPERA**

PPERA compliance has continued to improve and the party's compliance officer has streamlined the reporting system. Thanks to all the Local Treasurers who helped with the successful completion and submission of the national election expenditure return last summer.

This year will of course see a national expense return for the Scottish Parliament and Welsh Assembly elections as well as the potential of a national expenses return for the Euro Referendum. National returns are almost turning into a regular event every year.

The declarations of donations made, statement of accounts submitted and campaign expenditure made by the Party can be viewed on the Electoral Commission's website at

<https://pefonline.electoralcommission.org.uk/search/searchintro.aspx>

## **Membership and Fundraising Services**

The Federal Party ended 2015 with 61,598 members, a net increase of 16,918 in the year. This was the third consecutive year of net membership growth.

The normal pattern of growth from 2014 continued all the way through until the General Election in May 2015. The incredible surge of new members after the General election meant that we ended the year in a strong position.

Underlying this strong growth in membership (in addition to the welcome surge of members in May) are two factors:

- The success of the membership incentive scheme in motivating local campaigners to grow their membership.
- A very strong (multi-channel) retention campaign run centrally with the retention rate of almost 88% in 2015.

Looking forward the challenge is going to be the renewals in Q3 of 2016. With 33,000 members (half of the Party's current membership) up for renewal on July 1<sup>st</sup> 2016, the majority of our efforts will be concentrated on retaining as many as these members as possible.

A major fundraising effort has begun in relation to campaigning in relation to the EU referendum.

### **Risk Management**

The FFAC Chair regularly reviews a Register of Risk with the Chief Executive and this Register, which takes into account both the likelihood and scale of impact of risks is also reviewed by the Directors of Liberal Democrats Ltd (LDL) (formerly the Trustees) of which the FFAC Chair is a member. The FFAC received a verbal update at every meeting and LDL now reports annually to the Federal Executive in relation to its risk monitoring role.

Finally I would like to thank, on behalf of the Party, the many years of dedicated hard work of the Party Director of Finance, Nigel Bliss, who has decided to move on in his career. We wish him all the best.

**Peter Dunphy**  
**FFAC Chair**  
**January 2016**

## Appendix 1

<b>Liberal Democrats - Federal Party</b>	
	Total budget 2016 £
<b>Income</b>	
Direct mail appeals and standing orders	255,000
Digital fundraising	250,000
LDCalling	275,000
Fundraising income	927,618
Federal levy	833,975
Conference	800,000
AdLib	65,000
Inter-party cross charges	699,815
Connect & NationBuilder income	161,000
Policy Development Fund	360,000
WFD Admin fees	84,550
Other income	56,000
<b>Total Income</b>	<b>4,767,958</b>
<b>Expenditure</b>	
Staff costs	2,504,656
Communications	101,000
Elections	435,852
People	122,250
Fundraising	37,054
Operations (Conference & LDHQ)	1,201,897
Chief Executive Department	290,828
Irrecoverable VAT	18,000
<b>Total payments</b>	<b>4,711,537</b>
Net cash inflow	56,421
Non-cash movement - Depreciation	(88,088)
<b>Deficit for the period</b>	<b>(31,667)</b>

## Parliamentary Party Report (Commons)

Since we last met in Bournemouth, the Parliamentary Party in the Commons has had a busy few months. The Government, has been seeking to make progress with many of the bills announced in last year's Queen's Speech. Unsurprisingly, without the presence of Liberal Democrats in Government, the detail reveals a clear lurch to the right. Simultaneously, we have seen a fragmented Labour Party under Jeremy Corbyn providing ineffective opposition. As such, despite our diminished presence in the Commons, it has been left to the Liberal Democrats to offer credible opposition and scrutiny.

As I mentioned in my last report, we have been working increasingly closely with our colleagues in the House of Lords in order to hold the Government to account. I would like to take this opportunity to thank my colleagues in the Lords for their tireless work and congratulate them on some of the victories they have had. Not least in forcing the Government to U-Turn on their plans to cut tax credits following a campaign across both Houses.

Since his election, Tim Farron has lead the Party with dynamism and nous. We have taken a lead on calling upon the Government to do more to tackle the ongoing refugee crisis, an issue which Tim has chosen to raise on two separate occasions at questions to the Prime Minister, as well as launched a Ten Minute Rule Bill on the topic. His handling of the issue of extending airstrikes against Daesh in Syria was typical of the measured approach he takes when faced with difficult decisions. I speak for all of my colleagues when I say that the decisions we took were far from easy and ones which were taken in good conscience following exhaustive briefings and detailed discussions.

In the past few months we have seen some typically Tory bills making their way through Parliament. We have seen a Psychoactive Substances Bill bereft of any evidence-based policy, which Norman Lamb has valiantly challenged. As well as this, we have seen an all-out assault on social housing in the form of the Housing Bill which colleagues across both Houses will continue to challenge. In addition, an ill-thought through Immigration Bill which threatens to drive wedges in communities has made its way through the Commons. The Cities and Local Government Devolution Bill recently received Royal Assent; a Bill in which colleagues attempted to extend votes in local elections to 16 and 17 year olds. Unfortunately, in the face of a self-interested Conservative majority government, young people continue to be disenfranchised.

There are currently a number of Bills in the pipeline which are of concern, and colleagues will remain vigilant against anything which challenges the liberal values we stand for. Following the publication of the draft Investigatory Powers Bill, we expect to see the Bill on the floor of the House in the coming months. As we did in Government, we will continue to ensure that this does not take the form of a ‘Snooper’s Charter’.

At the time of writing, six of our MPs have introduced Ten Minute Rule Bills in this session. It has been an effective tool which we have used to challenge the government on issues the Labour party fail to champion.

Ahead of the multiple elections in May and with an EU referendum likely before the end of the year, possibly as early as the 23<sup>rd</sup> June, all MPs have agreed to assist with campaigns and visits wherever possible. If you are fighting to hold or gain control of your Council or grow your Council group and would like a visit, please contact our respective offices.

As you can imagine, having a group of only eight MPs presents its own unique challenges and it is an unfamiliar scenario for all involved. I would like to take this opportunity to thank all of my colleagues for their continued hard work and support.

## **POLD**

We now have a full team in place in the Parliamentary Office of the Liberal Democrats who have adapted well to the new circumstances we find ourselves in. We have continuity in the form of Jack Fletcher who heads up the Whips Office with great efficiency whilst maintaining an all-important sense of humour. He is now supported by Joe Edwards who joined the Team as Jack’s deputy in October and has settled in well over the past few months.

As I mentioned in my last report, the structure of the wider team has undergone some profound changes in order to better support colleagues across both houses. I, as I’m sure my counterpart in the House of Lords, would like to put on record my thanks to the Parliamentary Advisor Unit (consisting of: Giles Derrington, Vinous Ali, Claire Mathys, Rosie Shimell and Fionna Todd) and the Parliamentary Support Team (consisting of Rosie Gray, Euan Stone and Jenny Steinitz) for their valuable support to colleagues across both Houses.

**Tom Brake MP**  
**Chief Whip (Commons)**  
**February 2016**



# Parliamentary Party Report (Lords)

## Legislation

A worrying post-election development is the desire by the Government to make significant legislative changes by statutory instrument (SI). SIs cannot be amended and are not subject to the same detailed scrutiny as primary legislation. Liberal Democrat Peers have been opposing this misuse of parliamentary procedure.

In October **Zahida Manzoor** led the charge against the Government's planned **tax credit** changes. Zahida tabled a 'fatal motion', which would have stopped the changes in their tracks. Although the House instead voted for a proposal to delay the changes coming into effect, the Chancellor subsequently announced he would cancel with the planned cuts.

The Government also used an SI to bring an early end to the transitional provisions to move from household to **individual electoral registration**. **Paul Tyler** tabled a motion to stop the change, arguing that it could result in up to 1.9 million entries being struck off the electoral register. Although there was a high turn-out of Liberal Democrat Peers, Paul's motion was narrowly defeated.

**Lynne Featherstone** has also tried to stop the Conservatives making major cuts to **feed-in tariffs** by an SI. The cuts would hit the renewable energy sector hard. As Lynne's initiative was not supported by Labour, the changes will go ahead.

In response to the tax credits vote, the Government asked Lord Strathclyde, a former Conservative Leader of the Lords, to review the powers of the Lords in relation to SIs. His report recommended removing the veto power of the Lords over SIs and instituting a new procedure asking the Commons to think again. The Government has yet to respond to his report. **Jim Wallace** has cautioned against such a move, arguing that it could diminish the ability of Parliament to hold the government to account.

**Zahida Manzoor** has continued to battle the Government's plans to cut £12 billion of welfare spending in the **Welfare Reform and Work Bill**. Zahida pushed an amendment to stop the Conservatives cutting an average of £1080 from new Universal Credit claimants, but was not successful as Labour abstained. Votes were also won, with Liberal Democrat support, to stop cuts to the Employment and Support

Allowance for disabled people; and to require the Secretary of State to report annually on child poverty.

Liberal Democrat Peers have carried on the fight to stop the Conservatives' systematic unravelling of the excellent work done by Ed Davey in Government to develop the green economy. In the **Energy Bill**, **Robin Teverson** joined with Labour to stop the Government ending the subsidy for onshore renewables a year earlier than expected.

**Robin Teverson** also won an amendment in the **Enterprise Bill** to ensure that, when the Green Investment Bank is privatised, it will continue to retain its environmental purpose. The Bill sets up a Small Business Commissioner. **Lorely Burt and Ben Stoneham**, who led on the bill, narrowly lost an amendment to ensure that the Commissioner can consider complaints from small businesses relating to late payments from public authorities, as well as from businesses. We also supported amendments to stop the Government rowing back on the commitments made to Greg Mulholland last year on tied pub tenants.

The Group in the Lords has taken forward the party's long-standing campaign for votes at 16. Following **John Shipley's** initial success in the **Cities and Local Government Bill** to give 16 and 17 year-olds the vote at local government elections, this proposal was eventually defeated when the bill returned to the Lords, owing to Labour's decision not to support John a second time.

We also worked with Peers across the House to propose giving 16 and 17 year-olds the right to vote in the upcoming European Union referendum. An initial vote was won by 82 votes, but was eventually overturned when the bill came back to the Lords. **Sarah Ludford and Julie Smith** led the team which also pushed for the franchise to be extended to EU citizens resident in the UK and all British citizens resident in EU countries. **Sue Miller's** vote on the latter was not supported by Labour and therefore fell.

**Paul Tyler** was at the forefront of moves to take big money out of politics. The **Trade Union Bill** cuts trade union funds to the Labour party, but there is no equivalent provision to cap donations by individuals. The Lords voted by a huge majority to set up a select committee to investigate. The Bill also requires a 50% threshold for strikes and require union officials to monitor pickets and submit plans in advance. **Ben Stoneham and Lorely Burt** are concerned that the bill will have an impact on the delicate relations between Unions and some employers, and have tabled amendments to address this.

**Cathy Bakewell** is leading on the **Housing and Planning Bill** which extends the Right to Buy to housing association. **Dorothy Thornhill** and **John Shipley** will press amendments to address our concerns that the policies in the bill may cause the breakdown of communities and do exacerbate the shortage of affordable homes.

**Susan Kramer** and **John Sharkey** criticised the Government for watering down rules to hold top bankers to account. A provision in the **Bank of England and Financial Services Bill** reversed the 'burden of proof' rule, which forced senior executives to prove they took every reasonable step to ensure staff behaved ethically and responsibly. A move to stop the change was defeated by 2 votes.

**Mike Storey**, **Margaret Sharp**, **Dominic Addington**, **Kath Pinnock** and **Claire Tyler** worked on the **Education and Adoption Bill**, which gives the Government powers to intervene in failing schools and turn them into academies. Our team pushed to ensure there is more consultation with parents, teachers and governors about whether a conversion should take place.

**Kath Pinnock**, **Claire Tyler** and **Mike Storey** also led on the **Childcare Bill**, which increases the amount of free childcare to 30 hours a week that working parents can receive. Whilst supportive of the aims of the Bill, we were concerned about how the provisions will be funded. We also won an amendment to ensure that there is flexibility in the arrangements for parents who work outside normal working hours.

**Sally Hamwee** and **Brian Paddick** are leading a team on the **Immigration Bill**. The Bill creates an ever-more hostile environment in the UK, rolling out the 'landlord as immigration officer' scheme and extending the 'deport first appeal later' rule. We are further concerned that the provisions on illegal working will criminalise the vulnerable.

**Nicol Stephen**, **Jim Wallace** and **Jeremy Purvis** are working on the **Scotland Bill**, which delivers Home Rule for Scotland by implementing the provisions of the Smith Commission. The team are using the Bill to push for further decentralisation within Scotland and to ensure that the important protections in the Equality Act 2010 are maintained across the UK.

## **Debates**

Liberal Democrat Peers have led debates in the Lords on a wide range of subjects during the autumn and winter, including climate change, drugs in sport, working with our NATO and European partners on

defence and security matters, and supporting small music venues. We used our last Liberal Democrat debate day in the Lords to highlight the key issues of local democracy, and skills and lifelong learning.

### **Campaigns and Visits**

The Peers visits programme continues. Since the election, Peers have made over 200 visits, including over 70 to local party AGMs. From February, our priority is to support places with elections in May. Peers have been twinned with over 40 local councils, Welsh Assembly, Scottish Parliament and London Assembly seats, and are committing to visiting every local party with a seat up in May. Peers will also form the backbone of EU referendum events. All bids for a Peer to attend a local or regional event should be directed to Polly Martin in our Whip's Office: [martinpab@parliament.uk](mailto:martinpab@parliament.uk).

### **Peers**

We were delighted to welcome 11 new members to the Group, taking our total number to over 100.

**Shirley Williams** has recently retired from the Lords, and used her valedictory speech to highlight the stress the importance of public service, institutions such as the BBC and the NHS, and the need for the UK to play a leading part in Europe. **Veronica Linklater** has also retired.

Finally, we wish to remember our dear friends and colleagues **Derek Ezra** and **John Roper**, who have sadly passed away in recent weeks.

### **Staff**

I would like to extend my thanks to the staff of the Leader's Office and the Whips' Office in the Lords, who support us in all our work – Humphrey Amos, Polly Martin, Elizabeth Plummer, Sarah Pughe and Dave Shaw. We are also grateful to the staff in the Parliamentary Adviser Unit and the Parliamentary Support and Correspondence Team for their invaluable work.

**Lord Dick Newby**  
**Chief Whip (Lords)**  
**January 2016**

# **Parliamentary Party Report (Europe)**

## **EU referendum campaign**

With the referendum likely to take place in June 2016, the biggest priority in recent months has been preparing for the campaign to defend the UK's place as a leading member of the European Union. I have attended regional launches across the country and have been inspired by the enthusiasm and passion shown by members both old and new. With the polls showing the outcome is on a knife-edge, Liberal Democrats will have a decisive role to play in this once in a generation fight.

I am determined to fight this campaign based on the values which we as Liberal Democrats hold dear. As the country's most internationalist party, we understand that the best way to secure Britain's future prosperity, security and environment is by working together with our European neighbours. Together in Europe we have brought peace to our continent and created opportunity for people to live, work and study abroad. We must defend these achievements for future generations. Together we can show the world an open, outward-facing Britain we can all be proud of.

Our liberal sister parties from across Europe have also shown a tremendous willingness to help ensure the UK remains in the EU, whether it is sending over activists to the UK or mobilising British expats living abroad. Many of my colleagues in ALDE recognise that the UK has brought a huge amount of expertise and clout to the EU. They know that Brexit would be bad for Britain and Europe. So while there has been some opposition to David Cameron's package of reforms and most of all his demands for yet more special treatment for the UK, I am sure a compromise will be possible. As some of the legislative reforms the UK government has demanded will need the backing of MEPs, getting the European Parliament on board in the coming months will be crucial.

## **Environment Committee**

I am delighted that following my campaign the Commission has proposed an EU Action Plan against wildlife trafficking. This will ensure the EU steps up efforts to tackle the illegal wildlife trade across all policy areas, from closing loopholes which allow gangs to smuggle ivory and other illegal wildlife products into Europe to increasing funds to prevent poaching in source countries. I founded the cross-party MEPs for Wildlife group which has pushed for this action plan, we will now be playing a key role in ensuring it is followed through to the letter. Wildlife crime is

now the fourth-largest illegal trade in the world. Together in Europe we can stamp out this vile trade and preserve endangered species for future generations.

I have continued my work as the ALDE group's lead negotiator on the EU's new air quality law that will set national caps on six of the most harmful pollutants to be met by 2030. These limits are expected to halve the number premature deaths caused by air pollution each year, currently estimated at 400,000 across the EU and 60,000 in the UK. In a European Parliament vote in October MEPs agreed to include ammonia and methane, largely emitted from agriculture, and for binding targets to be met in 2025. Negotiations have now started between MEPs and national governments including the UK who want to see these limits watered down. I will be fighting for ambitious pollution limits that ensure every sector, from industry to agriculture, plays its part in cleaning up Europe's air. The long-term savings to health from improving air quality far outweigh the short-term costs.

In order to improve air quality in UK cities it is also crucial to tackle pollution from diesel vehicles. I was therefore outraged to find out through my Freedom of Information request that the UK government backed an agreement last October with other EU governments that will allow diesel cars to emit double the legal limit of deadly nitrogen oxide (NOx) pollution. The car industry is being given extra leeway so it can delay meeting stricter emissions tests coming into force from 2017. They've known for years that these stricter tests were coming, so this decision will effectively reward carmakers who have failed to cut pollution while punishing those who have.

I backed a bid by the European Parliament to veto this stitch-up and demand more ambitious limits. Unfortunately it was narrowly defeated by 323 votes to 317 in a vote in Strasbourg in February. Nineteen Conservative MEPs voted to accept the weakened diesel pollution limits, a fact I hope voters will be reminded of in the London mayoral and local elections in May. The Commission has agreed to an annual review of the limits following pressure from MEPs. I will be demanding that the leeway for carmakers to pollute above the legal limit is reduced as soon as possible in order to tackle the air pollution crisis facing many UK cities.

In more positive news MEPs overwhelmingly backed a report I co-drafted calling for EU nature laws to be strengthened and properly enforced in order to meet a target to halt biodiversity loss in Europe by 2020. The EU's Birds and Habitats Directives protect over 1000

endangered species in Europe and dozens of natural habitats across the UK from over-development. But the laws are under threat from an upcoming review being carried out by the European Commission, which environmental campaigners fear could be used as an excuse to water them down. The strong signal sent by the European Parliament will help ensure that these vital laws are not weakened and that we continue to work together in Europe to protect the environment.

## **Women's Rights Committee**

I have drafted a European Parliament report on the implementation of the EU's anti-trafficking directive, which guarantees minimum rights for victims of human trafficking. This will hold the Commission and EU governments to account for their progress in tackling human trafficking and protecting trafficking victims. The final vote on the report is expected in May this year.

## **Quaestor**

I have continued in my role as a Quaestor, five MEPs who are elected by our colleagues to manage the day-to-day running of the European Parliament. Over the past six months it has been my turn to chair our monthly meetings. I also sit as the only British MEP on the Bureau, the highest decision-making body of the Parliament, where I represent the interests of fellow MEPs.

## **Media**

I have gained some significant national media coverage including through my campaign with the Sunday Mirror on wildlife crime. I also continue to be present in regional media in the South East, writing letters to local newspapers on EU issues and doing interviews with local radio. As the EU referendum campaign steps up a gear we can expect more attempts by the eurosceptic media to distort stories about the EU to suit their agenda, to help rebut these you can follow my Euomyth Buster Facebook page here: <https://www.facebook.com/EuomythBuster> I also have a monthly newsletter which reports back on the work I have been doing in the European Parliament and across the South East region which you can subscribe to here: <http://www.bearder.eu/newsletter>

**Catherine Bearder MEP**  
**January 2016**

# Diversity Engagement Group

The Diversity Engagement Group (DEG) was established to oversee the achievement of the Party's equality and diversity priorities. The group brings together nominated 'Champions' from all sections of the Party in leading the strategic and accountable body responsible for delivering our diversity agenda and reporting back to every Federal Conference. DEG acts as a steering group for the Diversity and Outreach team based at Liberal Democrat HQ, and is chaired by Baroness Meral Hussein-Ece.

## **New DEG Chair**

Baroness Meral Hussein-Ece was appointed as the new Chair of the Diversity Engagement Group in September 2015. Baroness Hussein-Ece welcomed the challenges of the new role, and praised the outgoing Chair, Lord Navnit Dholakia, for all the work he has done on this area to date.

## **DEG Restructure**

The restructure is currently taking place under the leadership of the DEG's role is to define, agree and carry out the diversity strategy for the party, (including pro-active campaigning and producing recommendations to HQ staff, Parliamentarians and Party members based upon expert advice from its members). All members have a responsibility for diversity at all levels in the party.

The work of DEG is structured in the following ways –

### I. **Internal engagement:**

Includes increasing representation within the party, as well as diversity awareness and unconscious bias training.

### II. **External engagement:**

Includes campaigning in diverse communities, community outreach projects and other work that builds the influence and reputation of the Party more widely.

### III. **Communications:**

Includes increasing the visibility of work being done within the Party and ensuring that internal and external communications reflect diversity and inclusion.



## Diversity motion to Conference

A Diversity motion is being presented to Conference aimed at increasing the diversity of our parliamentary candidates by setting up a 2020 Candidate Diversity Task Force and ensuring that seats take proactive measures to select a candidate from an underrepresented group.

### Internal Engagement:

- An **SAO training and capacity-building day** is planned in April 2016. Representatives from Liberal Youth, LDW, LDDA, LGBT+ and EMLD are invited.
- **Unconscious Bias** training is delivered at every Federal Conference and for local and regional parties on request.
- **Regional Diversity Champions** have been elected in all region and states and have devised Regional Diversity Action plans. Lucile Kamar is providing them with the advice and support needed to carry out their regional activities including (but not limited to):
  - o **Training days for BAME activists**
  - o **Inspiration Days**
  - o **Encouraging local parties to appoint a Diversity Officer**
  - o **Running Engagement Matters training sessions**
  - o **Proactively encourage individual from underrepresented groups to be involved at all levels in the party**
- **Approval and selection data** (including GLA, Scottish Parliament and Welsh Parliament) is being monitored and analysed in order to gain an accurate picture of candidate diversity within the Party.
- The HQ team continues to run key activities on behalf of LDW **Campaign for Gender Balance** (*see separate report*), providing support for potential women candidates going for Parliamentary approval and selection. This includes a package of **women-only training** at Conference.

### External engagement

- **A forum with LGBT influencers, Tim Farron and LGBT+** took place in February 2016
- **The HQ team is working with MPs and organisers in held seats with the most diverse populations** in order to identify and discuss best practice, and how further work can be done.
- **Links are being built and developed with a range of relevant external organisations** including Patchwork Foundation, 3FF, Young Black Grads, Islamic Relief, etc.

- **Community briefings** are available on request
- **“Whose Vote are you missing: Campaigning in Diverse Communities”** has been updated and is being distributed to key party stakeholders.
- **Key issues briefings** for diverse communities have been discussed with the policy team, produced and distributed.
- **MPs, Peers and senior LibDems have been supported and encouraged to attend communities’ events.**

### **Communications**

- A monthly **Diversity Newsletter** highlighting key events, government announcements and SAO campaigns is being distributed to stakeholders and activists within the Party.
- The **Diversity and Outreach Twitter** feed informs on opportunities and relevant campaigns and policies– follow us @LibDemDiversity
- **Arfan Bhatti continues his work with specialist press**, and we have seen a significant increase in the number of press releases and articles

### **Equalities Group in Parliament**

Baroness Hussein-Ece has set up monthly Equalities meetings that provide a forum for Liberal Democrat parliamentarians and other key stakeholders to engage with actions in Parliament and brainstorm ways to advance Lib Dem policies and ambitions. Thus far Equalities has not had a dedicated forum in Parliament, and Meral as both Chair of DEG and as our Parliamentary Spokesperson has set this group up in order to look at policy and strategy, and coordinate with legislation and parliamentary work, and liaise with equalities SAOs. This group is supported by Vinous Ali (Parliamentary Adviser Health, DCLG and Equalities).

### **Leader’s focus on Diversity**

DEG have been working closely with Tim Farron’s and welcome his commitment to increasing diversity in the Party. Lucile Kamar is working closely with Dan Purchase (Head of Training) Jonny Steen (Head of Volunteers), Al Ghaff (Head of Membership) to engage, activate and train to members.

### **Diversity and Outreach Team staffing**

- The Team are now staffed with one full-time member, Lucile Kamar. Her secondment to the Candidates Office from May 2015 ceased in December 2015. Arfan Bhatti is providing assistance, mainly with specialist press, given his role is predominantly focussed on heading up the Candidates Office.
- DEG would like to give their thanks to Vicky Booth, Head of Diversity and Outreach for her work in the team over the past eight years as she moves on to a new job.
- A Youth and Diversity Officer position is to be advertised. The Youth and Diversity Officer will work closely with Liberal Youth.

**Baroness Hussein-Ece**  
**Chair, Diversity Engagement Group, January 2016**

# Campaign for Gender Balance

The Campaign for Gender Balance was established by the Federal Executive in response to the conference debate on gender balance in September 2001. Since the launch of Liberal Democrat Women in June 2013, CGB's aims and objectives have been incorporated into the new LDW Constitution, with Candy Piercy (Coordinator, Representation of Women Group), taking forward the CGB remit.

The Representation of Women Group, working with the Diversity and Outreach team in LDHQ, continues to form a key central initiative for attracting and supporting women candidates within the Party, and it implements a range of training, mentoring and support activities in order to increase the number of women standing for Parliament.

## **LDW new Chair**

Liz Leffman was elected as the new Chair of Lib Dem Women in November 2015. Liz Leffman praised the outgoing Chair, Ros Gordon, for all the work she has done to increase the representation of women within the party.

## **Upcoming elections**

Liberal Democrat Women is supporting women candidates in the Welsh, Scottish, PCC and local elections.

## **Current approval figures (as of January 2016)**

- 27% of approved candidates are women

Whilst our training and mentoring programmes has ensured a high level of success for women candidates in strategic and held seat selections, more needs to be done to encourage more women to come forward for approval. We have increased the proportion of women on the approved list from 23% ten years ago to the current level of 27%. We need a significant effort to increase this to a minimum of 40% in 2020.

## Activities since last report to Conference

- **Training:** CGB ran 11 training sessions at the 2015 Autumn Conference, and will run 4 training sessions at the 2016 Spring Conference.
- **Training webinars:** A training webinar took place in February which developed a network of a dozen of trained trainers able to deliver Women Inspiration Days in the UK with the support of Regional Diversity Champions.
- **Encouraging women to get approved:** Support and mentoring is available ahead of assessments centres. It is vital to increase to number of women approved candidates.

## Current and planned activities

- **Mentoring:** CGB provides ongoing mentoring to women candidates at different stages of their political careers, including a number who applied for the Leadership Programme. We view the Leadership Programme as complementary to the work of CGB. CGB focuses on encouraging women to become Westminster Parliamentary candidates, at whatever stage in their political career development they may be in.
- **Training:** A number of Inspiration Days are planned to mobilise women to consider candidacy for Westminster even at this late stage. We are also planning workshops for groups of women PPCs in seats close to each other and in LDHQ, which focus on resilience training, leadership and on team building.
- **Newsletter:** An e-mail newsletter is sent out at least once every month to almost 1000 subscribers, including details of training events, relevant news items and seat adverts.
- **Monitoring approval and selection figures:** The Campaign continues to closely monitor information regarding approval and selection figures, to gain an accurate picture of the women's representation within the Party.
- **York Spring Conference 2016:** LDW/GCB are holding a fringe event called 2020 Vision, at lunchtime on Saturday 12<sup>th</sup> March, where we will be discussing how we can get a minimum of 8 women elected in 2020.
- Due to the stage of the electoral cycle, the next **Future Women MPs Weekend** will be held in November 2016 or January 2017

CGB activities are managed with the active support of the staff of the Diversity and Outreach Team in HQ. They provide extensive logistical and organisational support to the training, coaching and mentoring activities of the CGB project. As ever thank you to all our trainers, mentors, LDW members and other supporters without whom we wouldn't be able to continue our good work.

**Liz Leffman**

**Chair, Liberal Democrat Women**

**Candy Piercy**

**Head of LDW Representation of Women Group CGB Project**

# Federal Appeals Panel

The Federal Appeals Panel is established under Article 14 of the Constitution, and adjudicates over a variety of disputes that fall outside the remit of State Appeals Panels. The FAP is made up of 18 members – 9 of whom are elected by the Federal Executive and confirmed by Conference, with 3 being elected by each State Party. The Chair of the FAP is elected by the Panel from amongst the members elected to it by the Federal Executive.

## 1. INTRODUCTION

The Panel exists under Article 14 of the Federal Party Constitution to resolve internal conflicts falling within Article 14.3. Its composition is as set out in Article 14.1. The panel is due for reappointment at the York conference for a term ending in 2020. Alan Masters former Chair of the Welsh Appeals Panel, was elected Chair in 2010 and is standing for re-appointment. This is the Federal Appeals Report to the end of 2015. It was not tabled at autumn conference 2015 due to the General Election, Leadership Election and staff illness. As there is no main hall time for this report at spring conference 2016 any questions tabled will be answered at the autumn conference 2016. In certain instances the Chair of the Panel may provide a ruling on his own authority under the Panel's procedures in other instances he will appoint a panel of members to determine the issue.

## 2. RECENT RULINGS OF THE PANEL

A dispute arose between the South Central Regional Candidates Committee and Buckingham Local Party as to whether the Local Party could proceed to select a PPC for the 2015 General Election. The Chair ruled that this ought to be determined by a Panel. The Following Panel was appointed: Paul Roberts (chair), Monica Whyte, Martin Beardwell

### PANEL RULING 1

#### Majority Panel Decision made on 1<sup>st</sup> April 2015

The Panel directed that urgent action needs to be taken, to enable the Buckingham Local Party to select a Parliamentary Candidate to fight the seat in the May 2015 General Election. The Panel set out its reasons as follows:

The Panel have carefully reviewed those clauses which refer to Parliamentary Candidate selection of the Constitutions of the Federal Party and the English Party. In particular they have considered:

**Federal Party Constitution:**

**1.1 Article 1.2**

The objectives of the Party shall be:

...

- (b) to seek to achieve the objects set forth in the Preamble to this Constitution; and
- (c) ... to secure the election of Liberal Democrats as Members of Parliament, UK Members of the European Parliament and members of local and other elected public authorities.

**1.2 Article 2.2**

The federal institutions of the Party are together referred to in this Constitution as “the Federal Party”. This Constitution and any rules made thereunder bind the Federal Party and the State Parties. In all other regards a State Party shall be sovereign and shall be entitled to exercise any power not reserved to the Federal Party.

**1.3 Article 2.3**

The following functions are reserved to the Federal Party (subject to the rights of consultation afforded to State parties and others by this Constitution):

...

- (c) overall preparations for Parliamentary and European Parliamentary Elections;
- (d) the overall presentation, image and media relations of the Party;

...

**1.4 Article 4.3(a)**

...

- (a) the selection of a prospective parliamentary candidate and the adoption of a parliamentary candidate shall be made:



- (i) where for any constituency in a Local Party there are 30 or more members, by those members;

...

### 1.5 **Article 4.5**

The objects of a Local Party in Great Britain shall be to be the successor to the Former Parties in its area and to promote and support the values and objects of the Party in the constituency or constituencies which it contains and in particular, through its members:

- (a) to secure the election of Liberal Democrats as Members of Parliament, UK Members of the European Parliament and members of local and other elected public authorities;

...

- (d) to play a full part in the democratic processes of the Party;

...

- (f) to campaign and work with local people to achieve the objectives set out in the Preamble to this Constitution; and THE FEDERAL PARTY;
- (g) to help all local people, without regard to party or any other factor, to secure their rights and to protect them against oppression.

### 1.6 **Article 4.6**

Each Local Party shall have a constitution, which must comply with the following principles:

- (a) the objects shall include those set forth in Article 4.5 of this Constitution;

...

### 1.7 **Article 4.7**

The constitution of a Local Party is subject to this Constitution and to the constitution of the relevant State Party and, in the event of any conflict between them, this Constitution or as the case may be the constitution of the relevant State Party shall prevail.

### 1.8 **Article 11.1**

Each State Party shall establish a Candidates Committee or provide for some or all of its functions to be discharged by another unit or units (and every such unit shall be deemed to be a State Candidates Committee for the purposes of this Article 11). The functions of a State Candidates Committee shall be:

- (a) to make provision for there to be lists of approved candidates for Parliamentary and for European Parliamentary elections;
- (b) to co-ordinate and regulate the procedure for the selection and adoption of candidates;

...

### **The English Party Constitution:**

#### 1.9 **Article 1.2**

The objects of the Liberal Democrats in England shall be:

- (a) to seek to achieve the objects set forth in the Preamble to the Federal Constitution; and
- (b) for that purpose, to secure the election of Members of Parliament and the European Parliament from constituencies in England and of members of local and other elected public authorities in England.

#### 1.10 **Article 1.3**

The functions of the Liberal Democrats in England shall be: (a) to exercise and perform the specific powers and duties conferred upon them by these Articles;

- (b) to act as a co-ordinating and representative body on behalf of the Regional Parties in England; and
- (c) to do such other things as may help to achieve their objects.

#### 1.11 **Article 3.4**

For each Parliamentary constituency which has at least 30 members the vote on selection for a prospective parliamentary candidate for that constituency shall be by the members registered in that constituency. ...

### 1.12 **Article 3.12**

The objects of a Local Party shall include to be the successor to the Former Parties (as defined by the Federal Constitution) in its area and to promote and support the values and objects of the Party in the constituency or constituencies which it contains and in particular, through its members:

- (a) to secure the election of Liberal Democrats as Members of Parliament, UK Members of the European Parliament and members of local and other elected public authorities;

...

- (f) to campaign and work with local people to achieve the objectives set out in the Preamble to the Federal Constitution; and (g) to help all local people, without regard to party or any other factor, to secure their rights and to protect them against oppression.

### 1.13 **Article 4.4**

The objects of Regional Parties shall include:

- (a) to seek to achieve the objects set forth in the Preamble to the Federal Constitution;
- (b) for that purpose, to secure the election of Members of Parliament and the European Parliament from constituencies in the Region and of members of local and other elected public authorities in the Region;

...

### 1.14 **Article 4.9**

During the suspension of a Local Party, the Regional Party shall:

- (a) ensure, in consultation with local members, that a prospective candidate is in place for any parliamentary election, unless the Regional Party is satisfied that this is not appropriate for the time being;

...

2. Article 2.2 of the Federal Party Constitution ('FPC') provides that *"this Constitution and any rules made thereunder bind the Federal Party and the State Parties. In all other regards a State Party shall be sovereign and*

*shall be entitled to exercise any power not reserved to the Federal party.*” Article 2.3 of the FPC goes on to list functions reserved to the Federal party. This includes the overall preparations for Parliamentary and European Parliamentary Elections.

3. It is the majority opinion of the Panel that ‘preparation’ does not mean deciding if a Local Party should be prevented from fielding a Parliamentary candidate. They rely on the emphasis and direct rules provided throughout the FPC and the English Party Constitution (EPC). The objective of the State Party is set out in Article 1.2(b) of the EPC; they are to secure the election of Members of Parliament. The constitutions of the FP and EP stipulate that Local Parties are to secure the election of Liberal Democrats as Members of Parliament, etc. (see for example Article 4.5 FPC). Further the Local Party must set out this objective in their constitution (Article 4.6 FPC and Article 3.14 EPC) and this objective must not conflict with the FPC or EPC. A Local Party may be suspended if they do not implement this objective (Article 4.9 FPC).
4. The need to meet the objective that there are Parliamentary candidates in each constituency is met by Article 11 FPC. This provides that every State Party **shall** (*emphasis added*) establish a Candidates Committee or provide for some or all of its functions to be discharged by another unit or units. One of the functions of the State Candidates Committee is to co-ordinate and regulate the procedure for the selection and adoption of candidates. (Article 11.1(b) FPC). So important is this objective that, in the event a Local Party is suspended the Regional Party shall consult with the membership to put a prospective candidate in place (Article 4.9 ECC).
5. There is nothing in the FPC or EPC which empowers the Regional Executive, or any Regional, National or Federal Officer or body, to refuse to allow a properly constituted Local Party to proceed to Parliamentary Candidate selection, or to prevent this process from proceeding by declining to appoint a Returning Officer or otherwise. If it was felt that the convention not to stand a candidate

against the Speaker is one that must be followed, one would expect this to be set out in the Constitution(s). For this exception to be clearly set out is a reasonable expectation given the clear rules that the objective of the Local Parties is to elect a Liberal Democrat MP. Any revision to the rules for selection of candidates, is provided for by Article 6.1(g) ECC. This allows the English Candidates Committee to provide reports to the English Council on the rules for selection and adoption of candidates.

6. The Panel has been provided with email correspondence from Don Foster MP, dated 22 January 2014 and the Panel notes its contents. It is clear in his view, that any issue with the adoption of a Liberal Democrat Parliamentary Candidate for the constituency of Buckinghamshire, is that it will be contrary to convention, not that it breaks any article of the Constitutions.
7. The Panel have noted evidence that the selection of a Liberal Democrat Candidate for Buckingham would put the Party in conflict with a Parliamentary convention that the Speaker is not opposed. However, there is no provision in the Constitutions that allows the Federal or State Party to permit the convention to override the Constitutions. Without any such provision, to allow the Federal or State Party to go beyond the Constitutions would make the Constitutions meaningless.
8. The Panel have not considered the political desirability or potential implications of our decision; they are outside our remit.

**Paul Roberts**  
**Monica Whyte**

### **Minority opinion**

1. Martin Beardwell did not concur with the majority decision.
2. He notes that it is clear that a Local Party does not have the right to select a candidate without the oversight of the Regional Party, and it is his view that it therefore follows that the Regional Party is a superior body to the Local

Party. He believes that it is therefore implicit in the Constitution that the superior body can make decisions on whether a Candidate should be appointed, which can override the wishes of the Local Party.

**Martin Beardwell**

### **Procedural note on Delay**

The Panel expressed concern about the apparent delays in an Appeal Panel being appointed, which have given the Panel very little time to conduct our deliberations.

### **Chair's Observations on Delay**

There were clear administrative delays in this instance which caused delay in empanelling the panel to deal with this Appeal. I accept that there were reasons for these delays due to staffing issues and work-load, however, the delay was none the less unacceptable and clearly resulted in unfairness to the Appellants. It is vital that adequate liaison staff be maintained in future so that delays of this kind are avoided.

### **3. RECENT RULING OF THE CHAIR OF THE PANEL IN REGARD TO THE INTERPRETATION OF THE CONSTITUTION.**

The Chair of the FAP was asked to consider a ruling made by the Party in the House of Lords against one of its members, and whether if an appeal was made whether the FAP had Jurisdiction to hear the Appeal.

#### **RULING 1.**

I am asked to:

- 1) look at the jurisdiction of the Party in the House of Lords in respect of the taking of disciplinary action against one of its members and
- 2) the consider the question as to what jurisdiction the Federal Appeal Panel would have in the case of any further challenge made in respect of the exercise of that disciplinary action against a member of the Lords, who considers that his rights have been infringed.

## 1) The Disciplinary Jurisdiction of the Party in the House of Lords.

It seems to me that the following passages of the standing order are important and state as follows<sup>2</sup>:-

That disciplinary action may be considered on the grounds of (a) extreme or repeated disloyalty to colleagues in the Party, or (b) conduct that is liable to bring the Party in the Lords or the Liberal Democrats seriously into disrepute.

- i) That disciplinary action may consist of (a) a formal reprimand, (b) a requirement for future good conduct, (c) suspension of the whip, (d) withdrawal of the whip.
- ii) No other disciplinary action may be taken except by a meeting of the Party in the Lords of which at least seven days' notice of a disciplinary report by the Leader has been sent to all members.
- iii) The proceedings on such a report shall be conducted on the basis of the rules of natural justice
- iv) In an extreme case the Leader may in consultation with the Chief Whip suspend the whip from a member. Such a suspension must be reported to the next meeting of the Party in the Lords which may either revoke the suspension, or confirm it pending a full discussion at a future meeting of which at least seven days' notice has been sent to all members.

It follows that the only body able to consider disciplinary action as set out at i) above, and impose the sanctions set out at ii) above, are a meeting of the Party in the Lords. This is subject to the proviso that in extreme cases the Leader in consultation with the Chief Whip could temporarily suspend the member pending the next meeting of the Party in the Lords, and at that meeting the suspension could be continued until a disciplinary meeting had been convened, and at least 7 days' notice has been given.

A disciplinary meeting would then have to be called to consider either of the two grounds, namely that the member has been

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<sup>2</sup> Please note the numbering has been inserted by me for convenience and does not follow the numbering in the standing orders.

disloyal and or had brought the Party into serious disrepute. There are no other grounds. It could be only after making such a finding that either of these grounds were made out, that the meeting could go onto consider which of the four actions could be applied, i.e. a) a reprimand, or b) required to give a formal undertaking of good behaviour or c) be suspended from the whip or d) have the whip withdrawn. The rules do not allow any other actions to be applied.

I stress that none of those actions could be imposed unless a finding had been made the member had been disloyal and/or had brought the party seriously into dispute. Further please note the wording is seriously into disrepute.

Further, the rules clearly state that the proceeding must be conducted in a way that applies the principles of natural justice.

Further even where the ground of complaint is made out, carefully consideration must be given to all the available sanctions in turn and the appropriateness of any sanction decided upon.

#### Further challenge

The standing orders do not themselves set out the process of any further procedural or constitutional challenge arising from the exercise of these powers by a member who considers his rights have been infringed. However the standing orders crucially contain the following statement namely that:-

*'Where these Standing Orders are silent any applicable provisions of the federal constitution of the Liberal Democrats shall apply'*

The final arbiter in respect of Appeals arising from the Federal Constitution of the Liberal Democrats of this nature is the Federal Appeals Panel.<sup>3</sup>

Further Paragraph 14.5 the Federal Constitution gives wide power to the Federal Appeals Panel to make rulings as to Jurisdiction in any dispute. Under Section 3 of the Rules of

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<sup>3</sup> On this aspect see in particular paragraph 14.3 of the Federal Constitution.



Procedure of the Panel<sup>4</sup>, the Chair of the Federal Appeal Panel has power to make such a ruling if requested to do so.

'It is my ruling that a member who is unhappy about a disciplinary decision of the Party in the Lords would have the right to challenge that decision on procedural and/or constitutional grounds to the Federal Appeals Panel and that the Federal Appeals Panel would have jurisdiction to hear it. For the avoidance of doubt, that would in my opinion clearly include a challenge made on the basis that the party in the Lords failed to act within the principles of natural justice'.

I would be grateful if you could make this ruling available to all members.

## **RULINGS RELATING TO OMOV AT CONFERENCE**

The Chair of the FAP was asked to make an urgent ruling was sought by the Chair of Conference in respect of the Passing of the OMOV resolution as to when the changes would come into effect for the purposes of continuing conference business

### **RULING 2**

I am asked to make a ruling as Chair of the Federal Appeals Panel by Mr Andrew Wiseman, in respect to the passing of the constitutional amendment F28 (one member, one vote) and the associated amendment of the conference standing orders, F29 at the Federal Conference in Bournemouth.

The motion had no starting date and this has raised urgently the question of when the changes should come into effect. In my view as the amendment has the effect of changing the group of people entitled to vote on motions, it would be unconstitutional for it to take effect whilst the conference is ongoing as it has started with electorate chosen prior to the changes.

Conference is effectively one meeting, with an agenda that covers several days running from F1 (The formal opening of Conference) on Saturday to F42 The Leaders Speech) on the following Wednesday).

In my view it would be unconstitutional for the voting qualification for determining decisions made at this meeting to be changed mid-way through the agenda unless there had been a specific vote at

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<sup>4</sup> Published Nov 2006

conference to that effect. Indeed in my view, doing so, would open to challenge all of the decisions that have been made on the conference agenda up to and including the OMOV motions.

Therefore my ruling is that the existing voting qualification should continue until the end of the current conference agenda. The effect of the OMOV constitutional change and its associated standing order change should then be implemented at the moment of the closure of the 2015 Bournemouth Federal Conference.

### **RULING 3**

The further ruling was made as to the ongoing implications of OMOV for the current round of elections

#### **Application Date of OMOV**

A constitutional interpretation was made in respect to the passing of the constitutional amendment F28 (one member, one vote) and the associated amendment of the conference standing orders, F29 at the Federal Conference in Bournemouth.

The motions had no starting date and this raised urgently the question of when the changes should come into effect. My ruling was based on the fact that as the amendment had the effect of changing the group of people entitled to vote on motions, it would be unconstitutional for it to take effect whilst the conference was ongoing as it had started with electorate chosen prior to the changes.

It was my view that it would be unconstitutional for the voting qualification for determining decisions made at this meeting to be changed mid-way through the agenda unless there had been a specific vote at conference to that effect. Doing so, would open to challenge all of the decisions that have been made on the conference agenda up to and including the OMOV motions. Therefore my ruling was that the existing voting qualification should continue until the end of the current conference agenda.

#### **Clarification of the effect of the Bournemouth OMOV Motions**

I was asked to rule in regard to the impact that the changes made at Federal Conference in Bournemouth regarding one member one vote had on the Federal constitution and how this filters through to all federally associated bodies and the conduct

of elections both in the remainder of 2015 and for the future. My ruling considered the following questions:

1. **Question: how have the changes affected the way the Federal committees are elected and what needs to be done?**

It is clear that the elections of Federal Committees are governed by election rules. The current rules were not amended at conference to reflect the spirit of OMOV; they therefore remain the current rules for interpreting voting procedures. In short so far only the voting rights at the Federal Conference have changed.

**Action:**

The FE should change its election rules and have them ratified by Federal Conference in York. Nothing else regarding voting procedures has changed. For the avoidance of doubt the current procedures must remain in place until such election rule changes are ratified.

2. **Question: how have the changes affected Committee Elections in England and what needs to be done?**

I will deal with the current and future positions separately.

**Answer - Current elections**

Elections for 2016 were called prior to OMOV being passed in Bournemouth and are therefore subject to the current Federal Executive election regulations and so must continue unchanged.

**Answer Future elections**

I ruled that before there can be any future changes to English Elections the Federal Executive must to amend its election regulations in line with Question 1 above. A standing order change to English Standing Order 8.1 to reflect a suitable OMOV statement must then be made.

3. **Question how have the change affected English Regional Conference votes and what needs to be done?**

**Answer:**

As the 2015 Conference Representatives have been elected under the before OMOV regulations, for the remainder of 2015, those representatives are the voting members of regional conference.

Nothing changes until January 1<sup>st</sup> 2016 when OMOV at English regional conferences becomes automatic.

**4. Question how have the changes affected English Regional Committee Elections?**

**Answer:**

As the English Regional AGM calling notices had gone out prior to OMOV at Bournemouth, my ruling is that, the Regional Conference reps in each region will therefore make up the Electoral College to elect the 2016 Regional Officers and Committees.

**5. Question how have the changes affected all local Parties federally and what needs to be done.**

**Answer:**

Before any changes can come into effect, the Federal Executive needs to change the election rules.

Local parties cannot make any change to their current procedures until the Federal Executive has amended its election regulations to allow OMOV.

**4. RULING BY THE CHAIR IN REALTION TO APPEALS FROM THE EAP**

**Two challenges were made in this period to the Federal Appeal Panel against a ruling made by the English Appeals Panel.**

**RULING 4**

An appeal was made to the Federal Appeal Panel against a ruling made by the acting chair of the English Appeals Panel, that the EAP had acted unconstitutionally in regard to a disciplinary matter and failed to disclose its reasons in full. The appeal was dismissed but the Chair ordered that the reasons should be fully disclosed.

## **Ruling**

A challenge made to the Federal Appeal Panel against a ruling made by the English Appeals Panel is not a rehearing of the case, but a consideration as to whether the English Appeals Panel have acted within proper procedures and have not breached the Federal Constitution. I have looked at this matter with that constraint.

I have read and considered your appeal. For the same reasons given by the English Appeal Panel which I have obtained, seen and read, I do not consider there is any merit in your appeal going further and uphold the decision of the English Appeal Panel not to further consider it. I do not consider that you have made out a case that the conduct of the EAP was procedurally flawed or unconditional.

I note that in this case, the full reasons given by the EAP were not sent to you; however I see no reason not to disclose them to you in this case.

It is my belief that appellants are best served by judgements such as the one made by the English Appeal Panel being as transparent as possible. However given the somewhat heated correspondence between all parties at the time of the appeal, I do not criticise the view taken that brevity was best at that time.

## **RULING 5**

An appeal was made to the Char against a decision the EAP to rule that certain regional elections were void due to failure to follow the appropriate election rules. Appeal dismissed guidance given on the need to publishing a comprehensive manual of appropriate election rules applicable across the party at all levels.

## **Ruling**

I was asked to rule on an appeal between appellants who were appealing a decision of the English Appeal Panel who ruled that the internal elections for the officers and executive of a region Region for 2016 were void as they were not conducted in accordance with the appropriate election rules set out in the Constitution.

I looked at this matter and took the view as did the English Appeal Panel that since there is no significant dispute as to material facts,

I could rule on this matter as Chair of the Federal Appeal Panel without the need of a panel.

I found no fault in the EAP decision, indeed I have done the same, nor did I find any reason to overturn the decision. Indeed having seen the correspondence myself it seems the decision would have been inevitable.

Therefore I find no substance in the challenge to the Decision of the English Vice Chair and would accordingly dismiss this Appeal.

To avoid a repeat of this unsatisfactory state of affairs in the future, I have asked the Federal Executive who are currently in the process of reviewing the Committee Election Regulations to also give urgent consideration to publishing a comprehensive manual of appropriate election rules applicable across the party at all levels so that misunderstanding of this nature will be avoided in future elections.

5. A complaint was received in my capacity as Returning Officer for the Federal Elections, normally these matters would not be reported upon in this report but since this complaint led to the making of certain rulings as Chair of the Federal Panel I have included the ruling for clarity and transparency.

### **RULING 6.**

As you know I exercised my power under Rule 13 of the Election Rules to postpone the declaration of your election due to a complaint having been received to which investigations were taking place.

The complaint concerned an allegation that you held a dinner at Conference in Glasgow, at the India Quay Restaurant, on Tuesday 7th October. That the dinner was free to your guests to attend. That the guests contact details were obtained and that they were subsequently contacted asking for their votes by members of your team and also by yourself.

Subsequently following postponement of your election but before my inquiries had been completed, the complainant withdrew the complaint; but nevertheless since I had started my investigations and due to my own concerns about the allegations and the effect that if substantiated they may have on the fairness of the elections

I considered it appropriate and necessary in my role as Returning Officer to continue to investigate further.

In particular, I considered that it seems to me that the allegations raised concerns that breaches of Rules 4c and 4d of the election rules may have occurred and that as such this required explanation from yourself.

Rules 4c states that

No candidate may incur, or directly or indirectly authorise or cause to be incurred any further expenses on campaigning at any time before or after the close of nominations

and

Rules 4d states that

Candidates must not carry out any activities during the election period, which may be viewed as treating (my underlying).

Rule 13 states that

If a complaint is made prior to the declaration of the result, the Returning Officer shall have the power to postpone such declaration until the determination of such complaint or, where an appeal is made against his decision, until the determination of such appeal.

I wrote to you on the in December 2014 following the complaint, setting out my concerns as to what had occurred at conference and in particular that the dinner was free to your guests to attend. That the guests contact details were obtained and that they were subsequently contacted asking for their votes by members of you team and also by yourself.

At that stage I also understood that at least one previous complaint had been made against you in regard to breaches of the Data Protection Act in regard to elections.

I wrote to you again in January 2014 chasing a response and setting out that “my understanding is that you were subject to a complaint in August 2014 concerning the use of personal data and further understand that on the 1st of September you confirmed that you had complied with the three requests of the complainant” I asked you to confirm whether that information is correct.

On the 27<sup>th</sup> January 2015 you responded by email:

You denied any previous reprimands or contravention of the Data Protection Act. You however confirmed *that on the 7 October at Glasgow Conference you did organised a fringe meeting at which a number of prominent Liberal Democrat Ministers spoke and did Q&A s. You stated that ‘ as is common with Conference fringes, a buffet of food was provided’*

You stated that you had *“organised similar fringe meetings at each and every (Autumn) Annual Liberal Democrat Conference for each of the last 22 years”* during which you have *“ stood for Federal Executive elections over 15 times”* You stated that *“you did not do anything this last year that I did not do in the past”*.

You stated that *“as far as I'm aware the people I phoned (my underlying) were the people who have supported me in the past and I phoned them to let them know that I was standing (as I did in the past)”*. You stated that *“there is nothing wrong in doing this - every candidate does this as well”*.

You referred to the fact that *“no Returning Officer (over the last 22 years) has ever complained that my Conference fringes (and their attendant buffets), constituted a breach of election rules, it can reasonably be construed as acceptance that, in the eyes of the Federal Party, such fringes and my behaviour are perfectly within the rules of the Party Committee elections”*

You stated that *“another reason why you should not be concerned that there was a breach of election rules is in the fact that the Returning Officers in each of the last 15 Federal Executive elections were obviously satisfied that I didn't breach any election rules, not least because I did this last year exactly what I did in each of those election years. Those Returning Officers clearly were not negligent”*

I have considered your responses.

First, in regard to the complaint made re the Data Protection Act. Contrary to what you say, the details of this complaint have now been confirmed by, the Pastoral Care Officer who is required to keep a record of complaints by the Morrissey Report. For the record the details are as follows:



In an email to me she states:

*I can confirm that a complaint was received on 24 July 2014 regarding the inappropriate use of his personal data (Breach of Data Protection Act) by Mr .....*

**Summary of complaint:**

*The Complainant had been contacted by Mr ..... on two occasions in June 2014. Once inviting him to a fringe event dinner at the Glasgow conference in October 2014 and again asking him to donate to Mr ..... private foundation. On 25 June 2014 the Complainant asked Mr ..... to explain to him about where and how his personal details had been obtained. Mr ..... replied on 17 July 2014 that he had obtained the information as part of his role on the Federal Executive. The Complainant at this point challenged the appropriateness of the use of his data in this way but failed to receive a response from Mr ..... As such he felt he had no option but to make a formal complaint to me. I passed the complaint to Mr..... , local party chair to address.*

*Mr .....was advised by Mr ..... on 3 September to consider his obligations under the Data Protection Act as it appeared to Mr ..... that Mr .....was collecting and using personal data. He was also advised to seek advice from the Federal Party.*

I note that this complaint also arose at Glasgow Conference. Had it predated the events under investigation my conclusions as set out below, would have not been as lenient.

Breaches of Rule 4c and d

I have carefully considered your response and find from your own admissions, that there has been a clear breach of both Rule 4 c and d. I consider that your admitted conduct, clearly gave you an advantage over other federal candidates at the election, that it would have been clearly viewed as unfair and not a level playing ground by both other candidates and by any neutral observer.

I have no doubt that it gave a clear appearance of treating contrary to Rule 4c. I find that any neutral observer would have viewed it in that way. In my judgement, such conduct is unfair and clearly offends against the purpose of the rule. The rule is there so that the elections are seen to be fair and that candidates do not abuse their financial or other advantages to obtain an unfair advantage.

I also find that the conduct offends against Rule d in that again by your own admission you directly or indirectly authorised or cause to be incurred further expenses on campaigning at any time before or after the close of nominations, in breach of that rule.

I have concerns about potential breaches of the Data Protection Act arising from these facts, but I am not able to make any finding on the information available to me. Though I am not at all impressed with your lack of candour in relation the circumstances of the previous complaint set out above.

I have also considered your defences as set out in your email. I accept the point that your conduct in this regard has not changed over the last 22 years and that you have not considered this conduct to be a breach of the election rules.

However, I am not impressed by your further point that no other returning officer has considered this a breach of the rules, as I understand it no other returning officer ever received a complaint and therefore considered the issue at all. Furthermore the current versions of the rules are more recent and were clearly introduced to make sure that conduct of this sort would not occur in the future. Legislation has also changed over this period.

### Conclusion

Having found that it is unacceptable conduct and I find that it cannot be allowed to continue in the future. I nonetheless take on board your point that this conduct appears to have been historically tolerated leading you to consider it acceptable. Though clearly following this ruling no such excuse could be acceptable in the future.

Having ruled that your conduct as admitted in your email, breaches Rules 4c and d. I take on board that the original complainant did not wish to proceed with the complaint. I am therefore in this instance, constrained to take a lenient approach to these breaches.

I am more concerned that such behaviour is not repeated in the future, and therefore consider that the finding that you have breached the Rule 4 c and d is sufficient punishment in itself in this instance. I therefore confirm you election to the Federal Executive.

However, I want you to be aware, that should such conduct be repeated by you or by anyone else in the future that I would have no hesitation in declaring any subsequent election void.

I make this ruling as Returning officer. You have the right to appeal my ruling to the Federal Appeals Panel should you chose.

**Subject to any such appeal (*none was made*) I make the following additional rulings in my capacity as Chair of the Federal Appeals Panel.**

1. That the findings contained in this rulings should be disseminated by the Federal Executive and made available before the next set of elections by either the Federal Party or relevant State Parties. That candidate will need to be warned of the dangers of hosting fringe meetings during elections, making food available, obtaining contact details and contacting participants.
2. Secondly, I am concerned that no proper records seem to be have been kept of complaints or findings of misconduct in elections by either the Federal or State Parties over time. I would like the Federal Executive to include records of such complaints in the record keeping system set up by the Morrissey Report in future to avoid any inability to check past situations accurately.
3. Lastly, that the duties owed by candidates both under rule 4c and d and under the Data Protection Act must be are spelt out explicitly to them in appropriate documentation as well as the potential consequences in regard to the validity of any election should the duties be breached.
6. As Chair of the Panel I have been committed to making sure that the work of the Panel is accessible, transparent and truly independent. Last year in particular was a very busy period for me a Chair in particular and I am pleased to report back and set out above the details of the work done over this period. Members will see, the nature of the complaints and conflicts that have arisen, that they have been varied, sometime controversial and not always easy to deal with. My aim as Chair is that members will continue to have confidence in the way they matters have been handled and in the independence of the Panel in their continuing role to protect members' rights under the Constitution.

**Alan Masters, Barrister at Law, LL.B BL  
Chair of the Federal Appeals Panel, January 2016**

**The cost of not choosing our greener options**

Every year for Conference, we spend around £30,000 and use over 2 tonnes of FSC® recycled paper on printing copies of agendas, directories, policy papers, and reports to conference.

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