



## 2025 Suggested Rule Changes<sup>1</sup>

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<sup>1</sup> Please note that any rule changes submitted by CLPs this year will be debated at the 2026 Conference.

## Things to consider

*If a CLP submits a rule change, when will it be debated at Conference?*

Any rule changes submitted this year will be debated at the 2026 Conference.

*Are these the only rule changes Momentum will be supporting at Conference?*

No. Momentum will also consider supporting other rule changes submitted by CLPs that strengthen democracy accountability and transparency in the Labour Party.

*How many rule changes<sup>2</sup> and motions can a CLP submit?*

CLPs can only submit one motion or one rule change to Labour Party Conference.

*Why should CLPs consider submitting a rule change?*

Unlike policy motions, Party rules influence how the Party is governed, which has a major and often decisive bearing on where power lies in the Party, and ultimately on its politics and policies.

*How does my CLP know if any rule change we submit will be ruled in?*

According to the Three Conference rule, 'When Party conference has made a decision on a constitutional amendment, no resolution to amend the constitution or rules of the Party having the same or a similar primary objective shall appear on the agenda of the three following annual party conferences, except such resolutions to amend the constitution and rules that are in the opinion of the NEC of immediate importance.'

All of the rule changes in this document have been chosen because they do not contravene the Three Conference rule, and therefore can be debated at the 2025 Conference.

*What is the role of the NEC in deciding rule changes?*

The NEC will meet before Conference and can propose new rule changes to be put to Conference, which often pass because they have already secured the support of trade union votes.

*When is the deadline for CLPs to submit rule changes?*

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<sup>2</sup> Referred to as 'constitutional amendments' in the rulebook.

CLPs that decide to submit a rule change have until 23rd June to submit it.

## **Safeguard Labour Party internal ballots**

### **Rule 2.2 page 18**

### **Labour Party Rule Book 2024, Chapter 2 Membership rules, Clause 2 Charter of Members Rights and Responsibilities**

#### **Amendment**

Add in a new subclause 9 and renumber the current subclause 9 and subsequent clauses accordingly.

‘9. Members have the right to participate in free and fair internal party decision making, including votes in meetings, internal party elections and party candidate selections. The procedures and processes used should be rigorous and transparent.

Where a decision is being taken by online voting, Party members are entitled to:

- a) A balloting application/software being used that has been approved by a vote of the NEC;
- b) Observers having access to oversee and monitor the voting, where the online voting application permits such oversight;
- c) Transparency in the conduct of the balloting and the reporting of the results.’

#### **Supporting argument**

In light of growing concerns about possible interference with some of the Labour Party’s internal votes, the Party’s Rule Book ought to be amended in order to guarantee Party members have the right to participate in internal elections/selections that are free and fair and not subject to abuse.

In March 2024, the General Secretaries of four of the Party’s affiliated trade unions - Aslef, CWU, TSSA and the FBU – wrote to the Party’s General Secretary raising concerns over online voting in candidate selections that have not been “transparently addressed”.

Also in March 2024, the Metropolitan Police announced that its cyber team is investigating “computer misuse” in the selection of a Labour candidate in Croydon East. There are concerns within the Party that the current online voting system is not being operated transparently.

It is believed the declared outcomes of several Parliamentary reselections/selections may not be sound. The questionable contests include Ilford South (where Sam Tarry is the MP) and Merthyr Tydfil and Upper Cynon (where the local Labour MP Beth Winter was a candidate). Unfortunately, there are a growing number of other online votes where similar concerns exist.

Specifically in relation to Anonyvoter:

- Whether the Anonyvoter system itself is inherently flawed or faulty has not at present been established. But, what is clear is that its introduction into the Party is controversial and that the lack of transparency in the way the system is being operated is fueling concerns.
- The Anonyvoter system is provided to the Labour Party by a company that is closely linked to some Party members. Concerns have been raised that the contract for this service may not have been put out to tender and that NEC members were not advised on potential ways democracy could be abused with the application.
- Given the NEC’s duty to uphold the rules of the Party, it should be responsible for ensuring free and fair internal voting processes.
- To effectively discharge that responsibility the NEC ought to give thorough consideration to decisions about which voting systems the Party uses. Such matters should receive a proper discussion and a vote at the NEC.
- The Anonyvoter online voting system provides real time information about who has voted. If that information is passed on selectively, just to one of the campaigns in a contest, that campaign can benefit from knowing which of its supporters it needs to turn out. This can influence the outcome of a tight contest.
- The Anonyvoter system allows for independent observers to monitor a vote. Observers can bring a measure of greater integrity to the process and hence it is made use of in many of the Party’s Council selections. However, for some reason, which has not been made public, the Party generally does not allow such oversight in parliamentary selections.
- The Anonyvoter system allows for new members to be added while a vote is ongoing. As this could lead to abuse, information about voters being added during a vote ought to be made available to all candidates.
- Also, the Anonyvoter system allows for the generation of a special ‘code’ to vote. This code can then be communicated to someone so they can vote. This facility is supposed

to be used for members who have not received an email from Anonyvoter with their vote. As this could lead to abuse, candidates should be provided with information about the special 'codes' issued during a contest.

- In summary, the Anonyvoter system is open to abuse. It is possible to systematically generate votes and, by using uncast votes and re-allocating them to different emails/phone numbers, votes can be fraudulently cast on behalf of genuine Party members who don't even know someone else is casting their vote. In addition, information can be selectively made available to one candidate's campaign, to facilitates that candidate's 'get out the vote' operation.

## **Party staff, at all times, ought to be above factionalism**

*Chapter 1 Constitutional Rules, Clause VIII The National Executive Committee, Paragraph 2*

*Add after sub clause G a new sub clause H, as follows:*

‘ H. Ensure that staff working for the Labour Party play a neutral organisational role in the Party’s internal democratic processes, including Annual and Regional Conferences, internal elections and selection of candidates. Staff must at all times be above factionalism.’

### **Supporting Argument**

In order for the Labour Party’s institutions and processes to have credibility, it is indispensable for Party staff to play a neutral organisational role, as was recommended in the Forde Report. It has in the past been reported that the Party has rejected this recommendation, arguing that ‘staff are expected to take a steer from the leadership in all their dealings, and therefore cannot remain neutral and objective’. This rule change would ensure that Party staff are expected to play a neutral organisation role.

## Free Speech

### Labour Party Rulebook 2023: Chapter 2 (Membership Rules)

*Clause 1 sub-clause 12. After 'candidature' (line 14, page 16), delete:*

The NEC and NCC shall not have regard to the mere holding or expression of beliefs and opinions except in any instance inconsistent with the Party's aims and values, agreed codes of conduct, or involving prejudice towards any protected characteristic.

*Add:*

The NEC, ICB and NCC shall not have regard to the mere holding or expression of beliefs and opinions except in any instance inconsistent with the Party's agreed codes of conduct, or involving prejudice towards any protected characteristic.

Party members have freedom of expression as protected by Article 10 of the European Convention of Human Rights. Article 10 does not protect racist speech, or other speech containing hate based on a protected characteristic. In considering whether speech or other conduct is protected by Article 10, the NEC, ICB or NCC will take into account the context in which the speech and other conduct occurred. In particular:

A) speech does not lose the protection of Article 10 just because it is offensive, provocative or would be regarded by some as insulting.

B) Relevant factors will include whether speech is intended to inform rather than offend, whether it forms part of an ongoing debate of public interest, whether it consists of alleged statements of fact or of value judgment, and how far the speech or conduct interferes with the rights of others.

C) Article 10 will protect Labour Party members who express their opinions on internal Party matters, including opinions that are critical of the Party.

The NEC, ICB and NCC will take into account the guidance of the EHRC on freedom of expression in its report into anti-semitism in the Labour Party.

### **Supporting Argument**

There currently exists a provision in Chapter 2.I.12 which seeks to guarantee the legitimate free expression of members. There are also various Codes that protect free expression, although these Codes do not have the same binding force as the Rules.

It is proposed that 2.I.12 be strengthened in order to further guarantee free expression in a democratic political party, this time with specific reference to Art. 10 of the ECHR. The amendment explicitly says that members should be allowed to criticise the Party. This is important because the Party suspended numerous officers merely for allowing motions to be discussed at the branch and CLP meetings which criticised Labour's disciplinary measures.

The wording of this rule change refers directly to the EHRC report which discusses freedom of expression. This is because the EHRC gave some helpful guidance in that report, including the following: 'Article 10 will protect Labour Party members who...express their opinions on internal Party matters'.

## Time limit for suspensions

*Labour Party Rulebook 2023: Chapter 6 (Disciplinary Rules)*  
*Clause 1.1.B (page 37). After 'in any election or byelection' (line 11) add:*

The NEC shall not normally allow suspension to exceed 6 months before either determining the matter itself or presenting charges to the ICB or NCC. If at any time the NEC determines it will need more than 6 months, it shall notify the individual member in writing immediately to explain the specific reasons for the delay and provide a new date for the end of suspension.

*1.G (page 38). After 'determination in accordance with their rules' (line 15) add:*

The NEC shall not normally allow suspension to exceed 6 months before either determining the matter itself or presenting charges to the ICB or NCC. If at any time the NEC determines it will need more than 6 months, it shall notify the individual member in writing immediately to explain the specific reasons for the delay and provide a new date for the end of suspension.

If rule change on introducing thresholds for administrative suspensions is agreed, add this after 'disciplinary matter' in both 1.B and 1.G)

### Supporting Argument

There are currently no specific time limits on how long an individual member can be placed on administrative suspension. This has, at times, led to members being suspended indefinitely, sometimes for longer than a year, with little or no explanation. Administrative suspension is a practical measure, not a punishment. However, indefinite suspensions are often experienced by members as punitive measures and can have the effect of demobilising the Party's active base.

Further, in the interests of transparency and fairness, if an administrative suspension becomes protracted, the Party should provide an explanation and time frame to the member.