

English Appeals Panel Procedures – Adopted 1st July 2025

1. Mission Statement

1.1 The Panel exists under Article 9 of the English Party Constitution to resolve internal conflicts falling within Article 9.5

1.2 In discharging its duties, the Panel shall act in accordance with the principles of natural justice; and shall be accessible, transparent and expeditious.

1.3 Where appropriate, the Panel will encourage mediation; where necessary, it will make firm decisions by proper process. (Article 9.7 a (ii))

1.4 In dealing with any complaint the Panel will have regard to the Human Rights Act 1998 and in particular to Article 6 of the European Convention of Human Rights.

1.5 All communication by parties in relation to an EAP case should go via Standards and not directly between the parties. Parties also must be mindful of issues of confidentiality where appropriate.

2. Officers and Panel Members

2.1 There shall be a Chair of the Panel appointed in accordance with Article 9.1 (a) of the English Party Constitution, following the procedures laid out in Articles 9.2.

2.2 There shall be two Vice-Chairs of the Panel who shall be the other members of the panel appointed under Article 9.1 (a). In the case of the Chair of the Panel being unavailable or conflicted on a case one of the Vice-Chairs may assume the powers given to the Chair under these procedures.

2.3 Determination of a conflict of interest existing for the purposes of 2.2 and the delegation of the Chair's powers under 2.2 shall be at the discretion of the Chair, or by majority decision of the officers of the EAP.

2.4 In the event of the Chair being unavailable, the Chair may delegate his powers under these procedures to a nominated Vice-Chair in the interim under 2.2. In the event of an unannounced unavailability of the Chair, then the

assumption of powers under 2.2 may proceed if both Vice-Chairs agree and shall cease upon decision by the same, or upon direction from the Chair.

2.5 The other members of the Panel shall be appointed by the English Regional Parties under Article 9.1 (b)

2.6 The full panel shall meet at least four times per year to discuss the function of the EAP and ensure proper case management. This shall ensure the EAP meets its obligations to be transparent and expeditious under the principles of natural justice in 1.2. Such meetings shall have 7 days' notice given and shall be called by the Chair.

2.7 Amendments to these procedures shall be considered by meeting of the full panel, members and officers, for which at least 14 days' notice is given. Quoracy for such a meeting is three, of which at least two must be officers.

2.8 Between meetings of the full panel the officers of the EAP shall meet for case management or for any other urgent business that may come up, and may make any decisions necessary that cannot – in the opinion of the Chair – wait for the next full panel meeting, mindful of the restrictions of 2.7.

3. Initial Procedures

3.1 Any complaint, interpretation of the constitution or request for informal advice, shall be made in the first instance to the Panel within 6 weeks of the event, ruling or issue to be determined subject the right of the panel to extend this time in exceptional circumstances.

3.2 The standard appeal form is obtainable from the Standards Officer at Liberal Democrats Headquarters (LDHQ) or via the Federal Website and it must be returned to the same, subject to the timescales in 3.1 above. Any complaint or appeal not sent using the correct form may be considered only at the Chair's discretion and subject to it meeting the standards set out below. To maintain the principles set out in 1.5 and to avoid the risk of the appearance of impropriety, no complaint or appeal submitted shall be considered in order except those submitted through the Standards Office. In completing the form, the appellant will identify:

- (a) the detail of the Party body or Party official with whom the appellant is in dispute i.e. the respondent; and

- (b) the grounds of the proposed appeal; and
- (c) the remedy being sought.

3.3 The panel, per Article 9.7 of the English Party Constitution, shall only consider matters that are within its jurisdiction. Where those matters are appellate matters rather than cases where the EAP has original jurisdiction, then the EAP shall not accept a case until other appropriate avenues (e.g. appeals at a regional or state level) have been exhausted.

3.4 The Chair shall designate themselves, or one of the Vice-Chairs, as the Case Manager. The Case Manager shall ensure that any complaint is in a form which is both coherent and has been submitted properly per 3.2 above.

3.5 The Case Manager may give informal advice, and may recommend (and, if so, assist) with mediation; however, if the Case Manager conducts an unsuccessful mediation, he may take no further part in the determination of the complaint, and the Chair shall if thought fit appoint a different Case Manager.
(Article 9.7 (a) (ii))

3.6 The Case Manager, in consultation with the other Officers, will determine;

- (a) whether or not the case falls within the jurisdiction of the Panel (and the Officers shall have power to determine that a case falls out with such jurisdiction because it is deemed to be untimely, insubstantial, unmeritorious, vexatious or where the complainant has not exhausted his remedies elsewhere); and (Article 9.7 a (i))
- (b) the timetable and preliminary procedures for that case and a power to the case manager to impose deadlines (and so that any appeal must, unless the case manager extends this deadline in exceptional circumstances, be concluded within three months of being lodged, and may be dismissed if the appellant does not co-operate with the related timetable). (Article 9.7 (a) (iii))

3.7 If the complainant does not comply in a timely way with such procedures, the Officers may determine the case without any evidence not supplied by a deadline.

3.8 The Officers may also determine, in relation to any complaint where there is no (or no material) dispute as to the facts, that the matter should be determined without an oral hearing.

- 3.9 Subject to the foregoing the Case Manager shall have power:
- (a) to seek further information from the complainant or respondent(s);
 - (b) to determine the appropriate respondent(s); and
 - (c) to determine the procedures to be used, and the issues to be adjudicated, by the Case Panel appointed to determine the case. (Article 9.7 (a) (iv))
- 3.10 If at any point during this stage or any subsequent stage the English Appeals Panel is made aware of any legal proceedings related to the complaint then it shall pause the case until such time as it is confirmed that such legal proceedings are concluded. For the avoidance of doubt, legal proceedings includes an active police investigation, an active or pending criminal case, an active or pending civil action, or any other court or legal action where continued EAP activity may prejudice the interests of justice. The existence of such proceedings is considered to automatically satisfy the 'exceptional circumstances' in 3.6 (b).

4. Determination and Panel Formation

- 4.1 In a case concerning interpretation of the English Party constitution, a Regional Party constitution or a Local Party constitution - or rules or standing orders made under it - the case manager shall be empowered to make definitive rulings by themselves. This shall not apply in the case of a dispute over the respective powers of the English Party and a Regional Party.
- 4.2 In any Case that is either decided by 4.1 above or where the Appeal is rejected under 3.6 (a) shall have a ruling issued by the Case Manager (a "Case Manager's Determination"). The Case Manager's Determination shall be definitive and final, except that where the Case Manager has determined the complaint using the powers in 4.1 then any party to the complaint may request a full panel to hear the case. The Case Manager's Determination shall be distributed via Standards to all parties.
- 4.3 Any request made under 4.2 will be subject to the terms of 3.6 (a) above.

4.4 In any accepted case where a decision is not made under 4.1, or where such a decision is appealed under 4.2 and deemed under 4.3 to be fit to proceed, then the Case Manager shall summarise the case and direct it to a panel hearing (a “Case Manager’s Direction”). This shall be distributed via Standards to all parties.

4.5 The Case Manager’s Direction will also set out the initial deadlines for parties to submit initial papers in support of their case. The deadline for this shall ordinarily be 2 weeks from the distribution of the Case Manager’s Direction.

4.6 The Chair of EAP shall select the members and chair of the Case Panel, subject to Article 9.6 (b-c) of the English Party Constitution and the following provisions:

- (a) the chair of the Case Panel (“Panel Chair”) shall (other than in exceptional circumstances) be the Case Manager appointed in 3.4 and who issued the Case Manager’s Direction.

- (b) there shall be at least two other members of the panel (“Panel Members”), drawn where possible from ordinary members of English Appeals Panel.

- (c) the panel shall include at least one member who doesn’t identify as a man and one member who doesn’t identify as a woman.

- (d) the members hearing a dispute under Article 7 shall if practicable include a former parliamentary or European parliamentary candidate (and may be drawn from outside of the English Appeals Panel membership); and

- (e) no member shall be from the same Region as the appellant or have any direct knowledge of the matters in dispute.

4.7 Once the Panel Members and Panel Chair are selected, the Appellant and Respondent should be informed of the make-up of the panel.

4.8 Either party may object to the inclusion of a member of the panel where they believe they were selected without relevant information being available to the EAP Chair in their selection of the panel. The deadline for any such objection shall be the same deadline as in 4.5.

4.9 Any objection under 4.8 must be made to the Panel Chair via Standards and shall be upheld or denied at the discretion of the Panel Chair. If upheld, then the EAP Chair shall appoint a replacement under 4.6 and step 4.7 shall be repeated.

5. Initial Panel Procedures

5.1 The Panel Chair shall contact all Panel Members appointed under 4.5, providing them a copy of the Case Manager's Direction and checking availability.

5.2 Papers submitted under 4.5 (the "Case Bundle") should be directly relevant to the material facts of the case. They should be submitted via the Standards Office as a single file where possible, ideally in a PDF format. Any such documents must be paginated, providing page numbers.

5.3 The Case Bundle should be a maximum of ten A4 pages in length in total. This limit may only be exceeded with the permission of the Panel Chair.

5.4 Any material not compliant with 5.2 and 5.3 may, at the discretion of the Panel Chair, be rejected from the Case Bundle.

5.5 Once the deadline for submission of initial papers set in the Case Manager's Direction under 4.5 has expired, and following any determinations under 5.4, the Case Bundle shall be distributed to the Appellant, the Respondent, all Panel Members and the Panel Chair

5.6 The Appellant and the Respondent shall have one week in which to file any relevant responsive documents that speak to facts raised by the Case Bundle. Such filings should be done via the Standards Office, and shall – subject to 5.2, 5.3 and 5.4 above – be included in the Case Bundle.

5.7 The Panel Chair shall also collate any questions arising from the Case Bundle from the Panel Members and submit these to the relevant parties, with a deadline for responses being the same as in 5.6 unless extended by the Panel Chair.

5.8 Responses to 5.7 shall be, if deemed relevant to the material facts of the case by the Panel Chair, be included within an updated Case Bundle.

5.9 The updated Case Bundle following 5.8 shall be shared with the Appellant, Respondent, all Panel Members and the Panel Chair.

5.10 The Panel Chair shall, ordinarily within one week of the distribution of the updated Case Bundle under 5.9, convene a meeting of the Case Panel. At this meeting the Case Panel shall decide whether the case shall proceed to a full oral hearing or if it feels prepared to proceed on the submissions alone.

6. Preparing for Oral Hearings

6.1 If under 5.10 the Case Panel has elected to proceed to an oral hearing, it shall arrange a suitable date for the hearing. This date should ordinarily be within 4 weeks of the distribution of the Case Bundle under 5.9.

6.2 This date shall be shared with the parties no less than seven days in advance of the hearing date. It is presumed that parties will prioritise attendance at the hearing.

6.3 Once the hearing date has been shared, if there are compelling reasons that parties believe that the hearing must be delayed or the date changed then they may make a submission to the Panel Chair via the Standards Office. The Panel Chair shall assess the request and, mindful of natural justice, reject or accept such a request at their discretion. If they do move the hearing date, it shall be treated as the setting of a fresh hearing date under these procedures.

6.4 The parties or the Case Panel may request witnesses that are deemed relevant to the facts of the case. These witnesses may be invited to provide a written statement or attend in person.

6.5 If a party or a witness invited to attend in person is unable to attend the hearing, they may submit a written statement to the panel.

6.6 If a party does not attend the hearing, the Case Panel shall proceed without them. They shall draw no conclusions based on the party not showing and shall determine the case based on the Case Bundle, any provided statements and the hearing with those parties that did attend.

7. Procedure of the Oral Hearing

7.1 A hearing shall ordinarily be held virtually via video conferencing.

7.2 The Panel Chair shall preside over the hearing and make any such determinations as are required that are not otherwise specified in these procedures.

7.3 All comments by Witnesses, Appellants or Respondents in the hearing shall be directed to the Panel Chair or to a Panel Member if in direct response to a question from them.

7.4 Parties shall not question one another or address one another in the hearing. They may – if asked by the Case Panel – respond to matters raised by the other parties.

7.5 Parties may have one advisor or supporter with them in the hearing. This advisor or supporter may not address the hearing.

7.6 The hearing shall ordinarily last for approximately 2 hours. This shall be broken down as follows:

- (a) Introduction of the Panel (5 minutes)
- (b) Opening statement setting out the Appellant's case (5 minutes)
- (c) Opening statement setting out the Respondents' case (5 minutes)
- (d) Examination of the case of the Appellant, including examination of witnesses, examination of the Appellant and examination of any documents or statements (45 minutes max)
- (e) Examination of the case of the Respondents', including examination of witnesses, examination of the Respondents and examination of any documents or statements (45 minutes max)
- (f) Closing summation by the Appellant (5 minutes)
- (g) Closing summation by the Respondents (5 minutes)
- (h) Closing remarks from the Panel (5 minutes)

7.7 Questioning of parties or witnesses shall be at the direction of the Panel Chair – with Panel Members recognised to ask questions, to ensure clarity.

7.8 The hearings shall ordinarily be recorded solely to help the Panel Chair in their writing up of the ruling of the Case Panel (the "Panel Ruling"). Any such recording shall only be accessed by the Panel Chair and shall be destroyed within 14 days of release of the Panel Ruling.

7.9 If there are safeguarding concerns or reasonable adjustments required, these should be requested via Standards and will be organised by the Panel Chair in consultation with relevant others.

7.10 Following the hearing, the Case Panel shall meet and discuss their ruling.

8. Panel Ruling

8.1 The Panel Chair shall draw up a draft ruling (a “Case Panel Ruling”) of the Case Panel that captures their discussions and decisions. This draft Case Panel Ruling shall be circulated to:

- (a) The Panel Members, who must approve the ruling before it is final.
- (b) The Officers of the English Appeals Panel, who may comment upon interpretation of rules, regulations and other matters but not on the facts of the case.

8.2 The distribution under 8.1 shall ordinarily occur two weeks after either:

- (a) The date of the oral hearing detailed 6.1 to 7.10; or
- (b) The date the determination is made by the Case Panel under 5.10 that an Oral Hearing is not required.

8.3 Once agreed, the Case Panel Ruling shall be distributed to the Respondent and the Appellant.

9. Distribution

9.1 Any Case Manager’s Determination or Case Panel Ruling shall draw the attention of parties to article 9.8 of the English Party Constitution and the requirement of the English Appeals Panel to publish any matters which may set precedent.

9.2 The Case Manager or Panel Chair should identify any cases that they think set such precedents to the English Appeals Panel Chair so that the English Appeals Panel Officers can consider whether publication is appropriate.

9.3 In any case where publication is sought, comments from all parties in the case shall be sought on the topic of publication, and the English Appeals Panel shall – balancing the right of privacy against wider party interest - reserve the right only to release such information as is relevant to the precedent.

9.4 The distribution date shall be the date Standards communicates the determination to the parties of the case.

9.5 All dates and deadlines within these procedures shall commence, where relevant, from the point Standards communicates the relevant decision to the parties.

10. Status of Decisions of the English Appeals Panel

10.1 Any decision of the English Appeals Panel shall, subject to any right of appeal under the Federal Constitution, be final and binding on all concerned.