

Review of Political Parties' Codes of Conduct

Background

1. The Jo Cox Foundation (JCF) and the Committee on Standards in Public Life (CSPL) have come together to agree with political parties in Westminster a common approach to tackling intimidation and abuse. This builds on the recommendation in the CSPL report, [Intimidation in Public Life](#), that the political parties must work together to develop a joint code of conduct on intimidatory behaviour during election campaigns.
2. Following meetings held with political parties in November 2018 and March 2019 the output envisaged has evolved into a high level 'Joint Standard' around conduct and behaviour consistent with the aspiration in *Intimidation in Public Life* that there should be cross-party consensus on recognising and addressing intimidation, harassment and abusive behaviour.

Political parties' codes of conduct

3. This paper reviews the codes of conduct of political parties holding seats in Parliament, considering scope, themes, and language.¹ It should be read alongside the table at annex A.
4. The paper provides a foundation for creating a Joint Standard owned by the political parties, which contains a shared understanding of the minimum standards of behaviour expected from all party members. The intention is that behaviour that breaches the unacceptable behaviour described in the Joint Standard will constitute grounds for disciplinary action under each party's disciplinary framework. This paper therefore focuses on the language contained in the party codes, although reference is made to other party documentation containing information about procedures for alleged breaches in paragraph 14.
5. The analysis in this paper is based on a review of the following literature:
 - a. Conservative Party - [Code of Conduct for Conservative Party Representatives](#)
 - b. Labour Party - [Social Media Code of Conduct](#); [Sexual Harassment and Gender Discrimination Code of Conduct](#); and [Antisemitism and other forms of racism Code of Conduct](#)
 - c. Liberal Democrat Party - [Members' Code of Conduct](#)
 - d. Scottish National Party - [SNP Code of Conduct](#)
 - e. Green Party - [Green Party Members Code of Conduct](#)
 - f. Plaid Cymru - [Westminster Group Handbook](#)

¹ The DUP have not been included in the review as their code does not appear to be available online. They have not engaged in this work since sending apologies to the first meeting held on 20 November 2018.

6. In addition, rules relating to internal standards covering issues of intimidation, harassment and abusive behaviour can be found in other party documentation, whether explicitly (e.g. the Liberal Democrat constitution states: *'As a Member of the Liberal Democrats, you must treat others with respect and must not bully, harass, or intimidate any Party member, member of staff employed to support Liberal Democrats, Party volunteer, or member of the public.'*) or implicitly (e.g. the Conservative Party constitution states that no party representative or member shall have engaged or engage in conduct which brings or is likely to bring the Party into disrepute).

Scope of the codes

7. The codes reviewed are binding on all party members, apart from the Conservative Party Code of Conduct, which applies to anyone who formally represents the Party as an elected or appointed official². The Green Party Code applies to members and non-member volunteers.

Purpose of the codes

8. While there are differences in language, there is consistency in the intent that the codes should set a minimum standard of behaviour. The Liberal Democrat Code of Conduct takes the approach of setting out the rights and responsibilities of party members. The Conservative Party Code includes the additional purpose: *'to support equality of opportunity, diversity and inclusion, and the absence of any and all inappropriate behaviour.'*

Prohibiting intimidation, harassment and abusive behaviour

9. The party codes all prohibit bullying, harassment and unlawful discrimination - conduct that clearly falls within the scope of intimidation. Some of the codes list further categories of behaviour that will not be tolerated by the parties, including victimisation, abuse and hateful language.

Protecting the debate

10. The UK's constitutional framework respects the right of political parties and the public to engage in what may at times be trenchant debate on political issues, especially during elections. Political parties and their candidates must expect to be subject to searching scrutiny of their programme and ideas for government. The CSPL report, *Intimidation in Public Life*, acknowledged *'public discourse must allow significant and robust political disagreement, but without creating the conditions which encourage intimidatory behaviour.'*

² The Conservative Party also has a code of conduct for the leadership and management of volunteers which makes reference to intimidatory or bullying behaviour of volunteers by volunteer leaders.

11. The Labour Party Social Media Code, the Liberal Democrat Code and the Green party Code all emphasise the importance of robust critical discussion of political views, in contrast to personal attacks, which are clearly not acceptable.

Treating people with fairness, respect and dignity

12. As well as precluding poor behaviour, many of the codes explicitly refer to the positive behaviours expected by party members. While there is a range of language used, fairness, respect, tolerance and dignity are common themes. The Green Party Code includes a requirement to maintain civilised standards of conduct towards each other and others such as political opponents or non-members.

Responsibility for challenging unacceptable behaviour

13. The expectation that members will challenge unacceptable behaviour is included in several of the codes. The Green Party Code explains that it is a breach of the code for a person in a role with responsibility, such as a Chair, Moderator or similar, to fail to take appropriate action to prevent or stop discriminatory, oppressive or abusive behaviour. Members should also be aware of risks and act to mitigate them. The Labour Party Social Media Code of Conduct states, *'We all have a responsibility to challenge abuse and to stand in solidarity with victims of it.'* The Conservative Party Code requires those subject to it to actively promote and robustly support the Nolan principles *'and be willing to challenge poor behaviour wherever it occurs.'*

Linking with existing party disciplinary process - being clear about the repercussions

14. The codes vary in their approach to referring to the procedures for alleged breaches:
 - a. The Code of Conduct for Conservative Party Representatives sets out the procedure for making a complaint against elected representatives or officers of the Party and the process that will be followed. The code also refers to disciplinary processes set out in the [Constitution of the Conservative Party](#).
 - b. The Labour Social Media Code states that any member found in breach of the policies will be dealt with according to the rules and procedures of the Labour Party. The rules and procedures of the Labour Party are contained in the [Labour Party Rule Book](#).
 - c. The Liberal Democrat Members' Code of Conduct states, *'behaviour which is unlawful, dishonest, deceitful, violent, or threatening will constitute bringing the Party into disrepute, will constitute grounds for disciplinary action under the Constitution of the Liberal Democrats In England'*.
 - d. The SNP Code states, *'Every member owes a duty to the Party to abide by its constitutionally laid down policy and direction and its Constitution, Rules and Standing Orders.'* SNP's disciplinary procedures are set out in the [Constitution of the Scottish National Party](#).
 - e. The Members Code of Conduct for the Green Party states that the code, *'forms part of the national disciplinary framework that applies to all Green Party members, as set out in the Green Party of England and Wales Constitution and Standing Orders for Party Discipline... Other Party*

documents set out that a breach of this Code of Conduct constitutes grounds for disciplinary action.'

- f. The Plaid Cymru Westminster Group Handbook includes procedures for seeking advice and making a formal complaint.
15. Research of the parties' online published material revealed a range of possible sanctions that are included in parties' disciplinary frameworks. These include: formal warning; reprimand; suspension from party membership; barring the subject of the disciplinary procedure from holding or standing for election to any specified party office or role either permanently, for a specified period; and revocation of party membership. However, it was not clear from what was publicly available, whether *all* the parties' disciplinary frameworks include *all* of these sanctions.

Reporting illegal behaviour to the police

16. In some cases, including but not limited to offences against the person and damage to property, as well as credible threats of violence, the behaviour may be illegal. This is acknowledged in some of the party codes. The Conservative Party Code states, '*If there is an allegation of criminal wrongdoing, we will strongly advise the complainant to report this to the relevant authority as soon as practicable. In certain instances, we may have a duty to contact the relevant authority directly.*' The Liberal Democrat Code states, '*... the party reserves the right to refer any breach of this code of conduct which breaks the criminal law to the police rather than/ as well as dealing with it under this code of conduct.*' The Labour Social Media Code states, '*We encourage the reporting of abusive behaviour to the Labour Party, administrators of the relevant website or social media platform, and where appropriate, to the police. This is a collective responsibility and should not be limited to those who have been subjected to abuse.*'