

FEDERAL APPEALS PANEL

REQUEST FOR A RULING BY SIMON HOBSON

PERMISSION DECISION

David Graham (Chair) Case Manager

Issued: 19 September 2025

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Decision

1. I direct that the material filed for the purposes of this application be immediately considered under the article 23 Federal Party complaints process, so that the appeal against removal from the Welsh State Party candidates' list may be dealt with on its merits.
2. Following confirmation from the Standards Office that the appeal has been admitted for consideration under the complaints process, this FAP application will be dismissed and the FAP case closed, because the complaints process is an alternative remedy which has not been exhausted (see FAP rules 4.5(a)(iii) and 4.8).
3. I recommend that the Federal Party's Complaints Process be expressly amended to clearly provide for appeals against removal from approved candidates lists, and properly signposted as the appeal route on other Party web pages and literature for approved candidates.
4. If any party wishes to object to publication of this ruling on the Party website, they must do so within 7 days setting out the basis for doing so.

Reasons

5. By an application dated 16 April 2025, Mr Hobson sought to appeal to the FAP against removal on 26 March 2025 from the Welsh approved list of Senedd and Parliamentary candidates. This was inter alia on the basis that it was considered he no longer supported the objectives of the Party.

6. The Federal Party Constitution ('FPC') provides at article 19.3 that the name of any person shall only be removed from a list by the relevant State Candidates Committee by following the requirements set under Article 13.5 [this relates to the JCSC and its role in publishing rules and criteria) and on enumerated grounds. It then states, 'Any person removed from a list by the relevant State Candidates Committee under grounds (a) or (d) above shall have a right of appeal, which must be made in writing within 14 days of the applicant being advised of the removal, and which shall be dealt with in accordance with Article 23.' This deadline is not extendible by the FAP.
7. Article 23.2 of the FPC provides, 'Provided it is done in compliance with the procedures made under Article 23.3, each State Party may choose either to administer all of its complaints through the complaints procedure or it may decide to delegate the administration of all of its complaints to the Federal Party'. Article 23.3 provides that the Federal Board shall have power to make and from time to time vary procedures for the handling of complaints, and 'These Complaints Procedures shall include an appeals process'.
8. I previously gave directions to establish what appeals process had been put in place by the Welsh State Party, and whether Mr Hobson had communicated his intention to appeal within the 14 days provided for by article 19 of the FPC (prior to submitting his FAP form). As it emerged that Mr Hobson had since left the Party, I wanted to establish whether he still wished to proceed with an appeal that would be academic if he did not re-join, and if so, whether he would abide by the FAP rules of procedure. The aforementioned ground for removal from the approved list might potentially be a reason to refuse to re-admit Mr Hobson or revoke his membership.
9. I have been informed that Mr Hobson does wish to proceed with his appeal. I have also been informed by the Welsh State Chair of Candidates that:
 - (a) The Welsh Party delegates all its complaints to the Federal process.
 - (b) Mr Hobson indicated that he wished to appeal in writing on 27 March 2025 by email to Mr Tandy the Welsh State Chair of Candidates.
 - (c) Mr Tandy had then directed Mr Hobson to the Federal Party website but had not indicated what the appropriate appeals route was.
 - (d) Mr Hobson had applied to the FAP rather than making a complaint under the article 23 complaints process.
10. It is understandable that Mr Hobson was unaware that the article 23 complaints process applied because the document includes a lot of text about complaints but no text about appeals from candidates' lists. That does not in itself explain why he filed a formal FAP form so much later. However, had the FAP had jurisdiction, I would have

been minded to treat the e-mail of 27 March as initiating the appeal for the purpose of article 19 FPC, in order that the matter could be determined on the merits.

11. The FAP is established under article 22 of the FPC to ensure that members' rights under the FPC are not infringed. It will not proceed to determine a case where there is an alternative remedy that has not been exhausted, or where the case is academic (Published Procedures, rule 4.3). In this case, whilst the Federal Party's currently published article 23 complaints procedures do not make specific provision, they are the remedy provided for by the FPC. This matter should accordingly be adjudicated under the Federal Party Complaints Process on its merits. My directions shall be limited to ensuring that the correct process is set in train, and the FAP case shall thereafter be dismissed.
12. I recommend that the Complaints Procedures expressly refer to appeals against removal from approved lists of candidates (and indeed refusal or revocation of membership), and that consideration be given to whether there should be any bespoke procedures for such cases.