Trudy Church

From: Standards Officer
Sent: 04 July 2020 10:40
To: [redacted]
Subject: FW: Appeal against decision of Federal Appeals Panel

Importance: High

*** Sent on behalf of the Federal Appeals Panel***

Dear Simon

Please be advised that the ruling stands in its entirety and I decline jurisdiction to reconsider it.

Your sincerely

Alan Masters

From: Simon Pike [redacted]
Date: Sunday, 24 May 2020 at 20:21
To: Kerry Buist [redacted]
Subject: Fwd: Re: Appeal against decision of Federal Appeals Panel

Kerry,

It is now more than a month since I sent the request for consideration by the Federal Appeals Panel. I have not received any acknowledgement of this request, despite a follow-up email specifically requesting this.

I would be grateful if you could, at your earliest convenience, let me know the status of this request - at least to confirm that it has been received by your Standards Officer and is being actioned, and has not been lost somewhere in a spam filter.

Many thanks,

Simon Pike

(Member of English Council Executive)

-------- Forwarded Message --------
Subject: Re: Appeal against decision of Federal Appeals Panel
Date: Sat, 9 May 2020 13:05:25 +0100
From: Simon Pike [redacted]
To: Standards Officer <standardsofficer@libdems.org.uk>
CC: [redacted]

Dear sir,

I have not received an acknowledgement of my email below from 18th April. Could you please confirm that you have received it and that it is being considered.

Many thanks,

Simon Pike

On 18/04/2020 10:49, Simon Pike wrote:

> Dear sir,
>
> I am surprised and disappointed by the response of the Federal Appeals Panel to my petition, and I am also surprised that it could have reached this conclusion with due process in barely more than twenty four hours. As my petition questioned the ruling of the Chair of the Federal Appeals Panel, it would clearly be a conflict of interest for the same person to rule on the admissibility of my petition. I therefore request that you inform me who made the decision.
>
> I believe that the Federal Appeals Panel was wrong under both the Federal Appeals Panel published procedures and the Federal Constitution to decline my request, for the four grounds cited below. I therefore request again that my my petition is considered by a full panel of the Federal Appeals Panel.
>
> 1) In your email below, you refer to "further appeal". However, neither the FAP published procedures nor my document use this wording. My document is described as a "Request for reconsideration" and the Rule 4.1 of the FAP procedures refers to a "challenge" (I acknowledge that my covering email used the word "appeal", but this was shorthand, and the wording of the document itself is definitive). While "appeal" has a meaning in English law that could be inferred as applying to quasi-judicial proceedings such as FAP and limiting to the parties to the original proceeding, the word "challenge does not have any such legal meaning (except in the specific case of jurors, which clearly does not apply here). In the plain English meaning of "challenge", there is no restriction on who can "challenge" a decision.
>
> 2) Rule 4.1 of the FAP procedures (as published in the Reports to the Autumn 2016 Conference) does not place any restriction on who can make a "further challenge".
>
> It was therefore incorrect and unjustified for the FAP to decline to consider my request for reconsideration of the Ruling.
>
> 3) Points 1, 3, 4 and 5 of my "Request for reconsideration of the Ruling of the Chair of Federal Appeals Panel on the delay in holding elections for Leader of the Party" address points relating to interpretation of the Federal Constitution and of the Federal Appeals Panel published procedures (made under that Constitution) that are not considered in the Ruling of the Chair of the Panel.
>
> 4) Clause 22.3 (a) of the Federal Constitution states that "the Panel shall adjudicate upon: (a) ANY dispute over the interpretation of this Constitution;" (*my emphasis*). Therefore, the FAP is required to consider the elements of my request for reconsideration that relate to interpretation of the Constitution or the published procedures of the FAP.
>
> Therefore, if the FAP decides that it is empowered to decline to consider my request for reconsideration of the Ruling under its Rules, it must still consider those elements of my request that relate to interpretation of elements of the Federal Constitution in accordance with Clause 22.3 of that Constitution.
>
> If the FAP finds it necessary, I can reformulate my 'request for reconsideration' as specific requests for interpretation of particular aspects of the Federal Constitution and the consistency of the FAP published procedures with it.
>
> Yours sincerely,
>
> Simon Pike

On 17/04/2020 17:10, Standards Officer wrote:

Dear Mr Pike

Further to your request to appeal the recent ruling of the Chair of the Federal Appeals Panel on the issue of the Leadership Elections.

Thank you for your request. However, your request is declined for the following reasons:

You were not a party to the appeal, only one of the parties to the appeal has a right of further appeal to the full panel within the meaning of Rule 4.1 of the Federal Appeals Panel published procedures. As such you have no right of appeal. Your request is declined.

Kind regards

Trudy Church

Standards Office (writing on behalf of the FAP)

-----Original Message-----
From: Mark Pack [redacted]
To: alanbrm [redacted]
Sent: Thu, 16 Apr 2020 12:00
Subject: Fw: Appeal against decision of Federal Appeals Panel

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From: Simon Pike [redacted]
Sent: 16 April 2020 11:14
To: Standards <standards@libdems.org.uk>
Cc: President - Lib Dems [redacted]
Subject: Appeal against decision of Federal Appeals Panel

Dear sir,
I wish to appeal against the Ruling of the Chair of Federal Appeals Panel in relation to the postponement of leadership elections. This Ruling has been posted on the Facebook Group "Liberal Democrat Internal Elections discussion group".
Please find attached the grounds for my appeal. Please let me know if the Panel would like any additional information or reasoning, or if there is an option for an oral hearing.
As I have had previous problems with emails to HQ, could you confirm receipt.
Best regards,
Simon Pike
