

# SOCIETY OF LABOUR LAWYERS

## CONSTITUTION

### NAME

1. The name of the Society is "The Society of Labour Lawyers".

### OBJECTS

2. (1) The objects of the Society are to uphold the principles of justice, liberty and equality in the United Kingdom and elsewhere, and to promote the interests of the Labour Party in furtherance of the cause of democratic socialism.

(2) In pursuance of these objects the Society will:

(a) promote reforms in the law, the administration of the law, and the organisation and practice of the legal profession;

(b) make reports and recommendations to Royal Commissions, the Government, the Law Commission and other bodies concerned with law reform and related matters;

(c) draft, for use by the Society, the Parliamentary Labour Party, and others, provisions for Parliamentary Bills and subordinate legislation;

(d) publish and distribute, and assist (financially or otherwise) in the publication and distribution of, reports, books, pamphlets, periodicals and other documents;

(e) give advice and assistance, particularly in matters appertaining to the law, to national and local organisations of the Labour Party, Trade Unions, Co-operative Societies, and other progressive organisations;

(f) arrange and join in arranging meetings, conferences, exhibitions, and social and cultural functions;

(g) encourage the formation of groups of persons affiliated to or otherwise connected with the Society;

(h) co-operate with and otherwise support organisations concerned with law reform and related matters;

(i) do such other acts and things as are incidental to the achievement of the objects of the Society.



## MEMBERSHIP

3. (1) Membership of the Society is open to any person who is an individual member of the Labour Party who supports the objects of the Society, and is:

- (a) a barrister or solicitor of England and Wales or equivalent person in another jurisdiction;
- (b) a graduate in law;
- (c) a person holding a judicial office including a magistrate;
- (d) a bar student or trainee solicitor or equivalent person in another jurisdiction
- (e) a CILEX or other legal executive or person employed in a similar capacity or equivalent person in another jurisdiction;
- (f) a teacher or student of law at an educational institution recognised by the Executive Committee for the purpose of this Rule;
- (g) such other persons as the Executive Committee agrees

(2) Any person temporarily but not ordinarily resident in the United Kingdom who is thereby not a member of the Labour Party but is otherwise qualified for membership may be accepted by the Executive Committee as an associate member of the Society for a maximum period of 12 months.

(3) Members or associate members who are pupil barristers, trainee solicitors, students of law or who have been qualified for less than 6 years shall qualify to be members of the Society Group known as the Junior Labour Lawyers which shall function in accordance with rules approved by the Executive Committee. Any member or associate member of the society who meets the eligibility criteria as provided in those approved rules may be a member of the group for as long as they meet those criteria.

(4) Associate members shall not be entitled to vote at any General Meeting, or in any election of officers or of members of the Executive Committee nor to act as Chair or Secretary of any Group, Branch, Sub Committee or Working Party, but in other respects shall be deemed to be full members of the Society.

(5) Any person seeking to become a member of the Society shall send to the Secretary an application in a form approved by the Executive Committee, and all applications for membership shall be dealt with in such manner as the Executive may direct.

(6) It shall be in the absolute discretion of the Executive Committee, without giving grounds for their decision, to decline to accept an application of membership or to decline to



accept the renewal of subscription of any member. Provided that in the event of the Executive Committee declining to accept a renewal of the subscription of any member they shall give notice in writing of that decision to that member, and the former member shall then have a right of appeal to the next following Annual or other General Meeting of the Society

(7) If the subscription to the Society of any member is unpaid at the expiration of three months from the date when it became due, the Executive Committee shall, notwithstanding any forbearance given to such member, have power to declare the person concerned to be no longer a member of the Society, and upon such declaration being made such person shall forthwith cease to be a member of the Society for all purposes, but without prejudice to the power of the Executive Committee, upon application being made accompanied by arrears of subscription, to declare that person to be reinstated as a member of the Society.

(8) The Executive Committee shall on a complaint being made against a member or associate member of racist, sexist or similar behavior or of breach of Labour party rules or codes of conduct or have otherwise brining the Society into disrepute and after considering the facts have power to declare a person as having brought the Society into disrepute such that the person concerned is to be no longer a member of the Society and upon such a declaration being made the person shall cease to be a member and entitled to a proportionate reimbursement of the balance of their annual membership fee paid. The former member shall have a right of appeal providing the appeal shall be submitted in writing to the Chair of the Society with 14 days of declaration. The appeal shall be heard by a panel of four executive committee members sitting with an external independent chair and their decision shall be final.

## GROUPS, BRANCHES COMMITTEES AND WORKING PARTIES

4. (1) Groups and Branches of the Society's members may be formed in accordance with rules approved by the Executive Committee.

(2) No Group or Branch of the Society shall make any pronouncement in the name of the Society without the prior approval of the Executive Committee or, where the need for approval is urgent, of the Chair of the Society or in his or her absence the Vice Chair.

(3) The Executive Committee shall have power to withhold or withdraw recognition of any group of persons as a Group or Branch of the Society.

(4) The structure of all Groups and Branches shall be such that they shall be required to (1) hold an annual meeting of the group (2) that at that annual meeting there shall be elected two co-chairs and a management committee and that at least one of the co -



chairs shall be a woman and (3) that the co- chairs shall be responsible for planning a year of relevant meetings, education and development activities (4) that one or other co-chair shall attend the meetings of the Executive Committee and update the executive on the Groups/branch activities (5) that any member may join any Group or Branch relevant to their own interest. Any rules of the Group other than the above must be approved by the Executive Committee

- (5) The Groups and Branches of the Society at any one time shall be those identified as such on the Society web site. There shall normally be Groups for Access to Justice Rights at Work, Housing, Family and Child Care. There may be Branches in any geographical area where there are sufficient numbers of interested members. The Executive Committee may at its discretion define any Group or Branch as currently inactive and neither co-chair shall be entitled to attend the Executive Committee.
- (6) The Executive Committee may also appoint committees and working parties from time to time as required and invite the respective Chairs to attend the Executive Committee to report on the work being undertaken

## OFFICERS

5. (1) The Officers of the Society shall consist of a Chair, a Vice Chair, a Secretary, and a Treasurer elected or appointed as hereinafter provided. At least one of the Chair and Vice Chair shall be a woman. At least one of the Secretary and Treasurer shall be a woman.

(2) The Executive Committee may appoint a person to fill a vacancy among the officers of the Society and any person so appointed shall hold office until the conclusion of the Annual General Meeting next following that appointment.

## EXECUTIVE COMMITTEE AND SUB COMMITTEES

6. (1) Except as otherwise provided the Management of the Society shall be undertaken by an Executive Committee. The Executive Committee shall consist of the officers of the Society, six other members elected as hereinafter provided at least 3 of whom shall be women, one or the other co-chair of each active Group or Branch, the Chair for the time being of the Junior Labour Lawyers together with those members co-opted in accordance with paragraph (2) of this Clause. At its first meeting in each year the Executive shall allocated roles among the six elected members and co-opted members including the roles of Membership Secretary, Women's Secretary, Publications Coordinator and Web Site Editor



(2) The Executive Committee may co-opt not more than **four** members of the Society to serve as members of the Executive Committee who shall be co-opted wherever possible to ensure **gender balance** and the following types of members are represented on the Executive Committee, namely magistrate members, and non-London members. The Executive Committee may appoint a member of the Society to fill a vacancy arising during the course of the year among the elected members of the Executive Committee. Any persons co-opted shall hold office until the conclusion of the Annual General Meeting next following that persons co-option or appointment. The Executive Committee shall appoint the Auditors and Conference Delegate if not elected at the Annual General Meeting.

(3) The quorum of the Executive Committee shall be six members. The proceedings of the Executive Committee shall not be invalidated by reason of any absence among its members.

(4) The Executive Committee **may** appoint members to **ad hoc** sub-committees **and working parties** to assist in carrying out any of the objects of the Society. The Chairs of subcommittee **or working parties** shall be appointed by the Executive Committee. The number and nature of any **sub-committee or working party** shall be determined by the Executive Committee

**(5) No member may be an elected member of the EC and simultaneously be an appointed member of the EC.**

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(6) The members of the Executive Committee shall be indemnified out of the funds of the society against all risk and expense arising out of the management of the Society.

(7) The Executive Committee shall meet at least **six** times per annum and shall receive reports from **Groups, Branches, Committees and Working Parties** and shall consider and to determine upon matters relevant to the Society's business. **The Executive Committee shall appoint the Labour Party Annual Conference Delegate and the Delegate to any Special Conference of the Labour Party.** The Executive Committee may prepare a report for the Annual General Meeting.

**(8) The Executive Committee may appointment an Advisory Committee comprising such persons as the Executive Committee shall decide to assist the Society in respect of parliamentary liaison.**

## ELECTION OF OFFICERS AND EXECUTIVE COMMITTEE

7 (1) The Officers of the Society and the six elected members of the Executive Committee shall



be elected at each Annual General Meeting and shall hold office from the conclusion of the meeting at which they are elected until the conclusion of the next ensuing Annual General Meeting. The officers shall be elected by the Alternative Vote procedure subject to the requirement for gender balance in Clause 5(1) and the six Executive Committee members shall be elected under the Single Transferable Vote procedure subject to the gender balance requirement in Clause 6(1)

(2) Written nomination for election as an officer of the Society or as an elected member of the Executive Committee shall be signed by not less than two members of the Society other than the person nominated and incorporate the written consent of the person nominated. Nomination forms shall be sent so as to reach the secretary not less than 14 days before the date fixed for the Annual General Meeting.

(3) Where the number of persons nominated for any position exceeds the number of persons to be elected, there shall be a secret ballot held at the Annual General Meeting. The Secretary shall act as returning officer and prepare ballot papers. The returning officer may amend or waive electoral requirements provided in this constitution other than in respect of the number of officers and number of elected Executive Committee members and gender balance with the approval of the Meeting. Any member who cannot attend the Annual General Meeting, but that would nevertheless like to vote in any such ballot shall notify the Secretary by email or by post 7 days before the Annual General Meeting. The Secretary shall supply any such member with ballot papers which must be returned to the Secretary not later than noon on the day of the Annual General Meeting. All valid ballot papers received by the Secretary in accordance with this rule shall be counted in accordance with the arrangements made by the Executive Committee and the result of the election shall be declared at the Annual General Meeting.

## GENERAL MEETINGS

8. (1) A General Meeting of the Society shall normally be held in the December of every year, and in this Constitution is referred to as the Annual General meeting.

(2) At least 28 days' notice by post or e-mail shall be given to members of the Society of the date of the Annual General Meeting.

(3) A General Meeting may be convened at the discretion of the Executive Committee to be held in any term time.

(4) A General Meeting shall be convened by the secretary at the written request of not less than 20 members of the Society specifying the purpose for which the meeting is to be held.

(5) Any member of the society desiring to move a motion at a General Meeting



convened pursuant to paragraph (4) of this Clause shall ensure that the terms thereof are incorporated in the written request for the meeting to be convened.

(6) A General Meeting pursuant to paragraph (4) of this Clause shall be convened for a date within 21 days of the receipt by the Secretary of the request for the meeting to be convened except that it shall not be obligatory to convene a General Meeting pursuant to paragraph (4) of this Clause until at least six weeks after any other General Meeting of the Society.

(7) The quorum for a General Meeting shall be 20 members of the society.

(8) At all General Meetings the Chair shall be taken by the Chair of the society or, in the absence of the Chair by the Vice Chair or, in the absence of both, by a member of the Executive Committee.

(9) At a General Meeting no decision shall be made on any matter which the Chair of the meeting rules to be contentious unless in the opinion of the Chair the agenda for that meeting gave members a fair opportunity of knowing that the matter in question was to be considered at the meeting.

## MOTIONS AND AGENDA

9. (1) Any member of the society desiring to move a motion at an Annual General Meeting shall give written notice thereof, incorporating the terms of the motion and signed by the proposer and seconded to the Secretary not less than 14 days before the date fixed for the Annual General Meeting.

(2) The Executive Committee may include any motion, or an amendment for any motion, in the notice of the meeting and in the case of urgency in the agenda for any General Meeting.

(3) The agenda for every Annual General Meeting shall include:

(a) the presentation by the Chair of an annual report on behalf of the Executive Committee;

(b) the presentations of a report by the Treasurer with the audited accounts of the society;

(c) the declaration of the election of officers and other elected members of the Executive Committee and the appointment of two auditors for the ensuing year;

(4) The agenda for any General Meeting shall be posted or sent by email to all members of the Society not less than six days before the date fixed for the meeting.



## SUBSCRIPTIONS

10 (1) Members of the society shall pay **an annual** subscription in respect of each calendar year of such amounts as shall be approved at the Annual General Meeting or other General Meeting **or in default by the Executive Committee.**

(2) The first subscription of any person shall be payable on notification of his acceptance as a member of the Society **and shall be payable in full irrespective of the date membership commenced.**

## ACCOUNTS

11. (1) True and sufficient accounts of the funds of the Society shall be kept by or under the supervision of the Treasurer.

(2) Auditors of the accounts of the Society shall be appointed at each Annual General Meeting or, failing that, by the Executive Committee

(3) At each Annual General Meeting the audited accounts of the Society in respect of the preceding year shall be presented by the Treasurer or by some person acting on his behalf.

(4) Cheques drawn on behalf of the society shall be signed by the Treasurer or by such person or persons as the Executive Committee may direct.

## RESIGNATIONS

12. (1) An officer of the Society or member of the Executive Committee may resign from office at any time on giving written notice to the Secretary to that effect.

(2) If a member of the Executive Committee (whether appointed or elected) shall be absent from three consecutive meetings of the Executive Committee, except for a reason accepted by the Executive Committee, that person shall, on a resolution of the Executive Committee being passed to that effect, be deemed to have resigned from office as a member of the Executive Committee, and as an officer of the Society if holding such an office **and cease to be a Chair of a Group or Branch if a member of the Executive Committee by reason of that role.**

(3) A member of the Society may resign from membership at any time on giving written notice to the secretary to that effect, and any person who ceases to be qualified to be a member of



the society shall thereupon cease to be a member. Provided that in either case the person concerned shall remain liable to pay any subscription unpaid at the date of his ceasing to be a member of the society.

#### PARTICIPATION IN LABOUR PARTY ELECTIONS AND BODIES

13. In any contest under the electoral college system for the leadership or deputy leadership of the Labour Party the Executive of the society shall conduct a postal ballot of the full members of the society and the society's vote shall be cast so far as practicable in accordance with the result of that ballot.

14. The Society shall not affiliate to or engage with any Labour Party bodies other than The Socialist Societies Executive nor participate whether in respect of nomination or voting in any elections other than for the Socialist Society NEC seat and the Socialist Society Executive save that individual members of the Society may campaign to support Labour Party endorsed candidates in parliamentary elections

#### AMENDMENTS TO CONSTITUTION

15. This Constitution may be amended by a resolution to that effect being passed by a majority of two-thirds of the members present and voting at an Annual General Meeting of the Society.

16. Any question as to the meaning or application of these Rules arising during the course of a General Meeting shall be determined by the Chair of the meeting.

#### EXTERNAL PUBLICATIONS

17. No publication or statement shall be issued in the name of the Society unless it has been approved by the Executive Committee or is issued in accordance with authority delegated by the Executive Committee.