

Palestine Solidarity Campaign Appeals Procedure

December 2022

This document details the procedure available to members, branches and affiliates who wish to mount an appeal against the determination of the Executive Committee in relation to cases examined under PSC's Complaints Procedure or other constitutional matters where a right of appeal is specified.

This procedure is agreed by the Executive Committee as a regulation pertaining to the constitution of PSC.

Purpose of appeals

The purpose of an appeal is to review:

- whether due process has been followed
- whether the conclusion reached by the Executive Committee was reasonable
- and whether any sanction imposed was proportionate

The appeals process is not to be used to demand a full re-investigation of the original issue. An appeal would ordinarily be expected to be concluded via a single round of written submission – one on behalf of the appellant, and one by the Secretary of PSC acting on behalf of the Executive Committee. New evidence may only be presented if it was unavailable at the time of the original investigation and would be liable to have a significant bearing on the outcome of the case.

Appeals Panel

A panel of individuals shall be created who shall hear appeals:

- 6 members of the panel will be elected by AGM, with 3 of whom shall be selected by lot to sit on any particular case.
- 4 members of the panel will be appointed by the Executive Committee, with 2 selected by lot to sit on any particular case. These individuals shall not be members of the Executive Committee themselves.
- In addition, the Executive Committee will appoint an independent Chair who shall convene the panel but will not hold a vote on the outcome of the appeal.

Members elected by the AGM will serve for a period of 3 years. No by-elections will be held unless 3 AGM-elected members have resigned from the panel, in which case a relevant number of members shall be elected by the subsequent AGM for the remainder of the ordinary term. The EC may fill vacancies amongst those it has appointed as and when a vacancy may arise within a three year term. All members shall be eligible to serve multiple terms.

All members of the Appeals Panel shall be PSC members. Members of the Executive Committee and PSC staff shall not be eligible to serve on the Appeals Panel. There shall be advertised criteria pertaining to the skills and

experience suited to serving on the panel. Members shall be able to self-nominate and submit a statement on a timetable as determined by the Executive Committee.

Timing of lodging appeal

Appeals will only be considered if lodged with PSC's Secretary within 45 days of the appellant being sent the original determination of the Executive Committee.

Process of considering an appeal

The members to sit on a case shall be determined by lot and informed of an outline of the case. At this stage members shall withdraw from hearing any case where there would be a reasonable concern regarding a conflict of interest. In this event, a replacement panel member will be selected.

Those hearing the case will be sent the submissions of the appellant and that of the Executive Committee with sufficient time to consider the contents.

The Independent Chair shall set a time for a meeting where the appeal can be discussed and a decision on the outcome made. They shall seek to ensure that all members hearing the case shall be available for the meeting. If members become unavailable after a date has been agreed the meeting may proceed as long as at least 4 voting members are available.

A meeting, whether in-person or online shall be convened, with the Independent Chair ensuring the proper functioning of this meeting. Members will be invited to express their views and may discuss any aspect of the case. In the event that a majority of the meeting feels more information is essential before a decision can be reached, they shall be entitled to request this from any relevant party.

Normally it shall be presumed that members will then be invited to vote on whether the appeal should be dismissed or upheld. All decisions shall be made by a simple majority of those present and voting.

All decisions shall be final and not subject to further appeal.

Outcome of appeal

The decision shall be promptly communicated with the Secretary of PSC who shall inform the Appellant of the outcome of the appeal.