

Return of the Member for Frankston to the Parliament of Victoria

September 2014

On 2 September 2014, the Independent Member for Frankston, Mr Geoff Shaw MP will return to Victorian Parliament having served a three month suspension for the misuse of his parliamentary entitlements.

To access Hawker Britton's Occasional Paper on the Suspension of the Member for Frankston, click [here](#).

On his return, Mr Shaw will be required to apologise to the House, as stipulated in the suspension motion, or be found in contempt of the Legislative Assembly and subsequently, face expulsion.

Having complied with the other requirements of his suspension, including the repayment of \$5,220.75 for the improper use of his parliamentary vehicle and fuel card, as well as an additional \$1,617.69, Mr Shaw has indicated his willingness to fulfil the remaining term of his punishment by apologising to the Parliament.

The full transcript of the motion can be found [here](#).

Possible outcomes

Victorian Premier the Hon. Denis Napthine MP has specified that any apology delivered by Mr Shaw must be sincere or the Member for Frankston would again risk expulsion.

If any Member deems the apology to be insufficient or inappropriate, they may move a motion to reject and consequently, trigger a Contempt of Parliament motion.

Should the Government wish to pursue this course of action, it is likely that they will have sufficient support to expel the Member.

If this were to take place, the numbers on the floor of the Legislative Assembly for the remaining three parliamentary sitting weeks would be locked at 43 apiece, with the Liberal-National Coalition Government unable to pass legislation without the support of either the Labor Party Opposition or Liberal Party Speaker Christine Fyffe, who holds a casting vote where a division is tied.

Given the proximity to the general election on 29 November, no by-election would be held should the Member for Frankston be expelled.

If however, Mr Shaw's apology is accepted by the Parliament, he will remain in the chamber for the duration of the parliamentary term, due to expire on 16 October.



Under these circumstances, the Government would require the support of at least the Labor Party or Mr Shaw to pass legislation.