



## BE CAREFUL OF THOSE WHO CALL THE POLITICAL KETTLE BLACK

Peter Adamis 7 June 2014

I wonder as a Victorian voter who is calling the political kettle black. Is it the Liberal or the Labor party. It is my view that whatever the case may be, both parties are letting off steam as they are all part of the political kettle.

If the Labor is intent on expelling Geoff Shaw of what benefit would be to the Victorian people. Will his expulsion bring a return of political credibility and integrity? Let's get real, I think not. All the political posturing is not going to change the face of the Victorian Political pendulum and in fact it may just go against those intent on taking such action. Australians generally admire the underdog, the rascal that lurks beneath us all, that devil may care and she will be right attitude, but up to a point. In this case the more push and shove by both political parties may end up providing Geoff Shaw to go it alone and expose both parties and air their dirty laundry.

Both sides are using Geoff Shaw as a scapegoat to hide their mediocre performance and both sides are using tactics that belong to the Middle Ages. Political knifing and subtle innuendoes can be used effectively in an arena which does not recognise the parameters and boundaries of civility and what is good for those they represent. No it's an arena where survival is based on how politically astute, cunning, deceptive and devious a stakeholder can be.

Here in Victoria we have two major political parties that are at war literally with each other, pork barrelling and promising the world to those they hope to win the hearts and minds of and yet again and again, those same stakeholders drop their masks once they have been elected. We as the voter sighs once again when it's all over and wait for the political games to begin again. We the voters wonder why are we surprised, why do we put up with all the political rhetoric and rubbish and why do we allow ourselves to be duped again and again.

The reason is simple. We allow ourselves to believe because what we are fed is so seductive that we want to believe that what is said is true. It is all based on hope that the future will be better. Well, there comes a time in life when all the cards are on the table face up and there are no hidden cards up someone's sleeve, a time when all parties are required to remove their political facial masks and be judged upon who they are and what they can deliver to those they hope to represent.

Politics has no master and there is no one at the helm at the moment to guide the political ship home to safe waters and a secure harbour. What we need now is shallow waters so that we the people can walk safely to shore avoiding the sycophant mud crabs and recalcitrant sea snakes that crawl and slither along the political seashore. My lasting comments are to the voters of Victoria is to stand, not be afraid to speak out and be heard. Maybe it's time the lid of the political kettle was removed so that the political toxins can dissipate into thin air and start with a fresh pot.



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## Constitutional expert George Williams says renegade Victorian MP Geoff Shaw can be expelled

THE AUSTRALIAN JUNE 08, 2014 Pia Akerman Reporter Melbourne

THE Victorian Opposition has released legal advice supporting its claim that Parliament can expel renegade MP Geoff Shaw without fear of a successful legal challenge. The seven-page advice from constitutional expert George Williams will bolster their bid to move a expulsion motion against Mr Shaw when Parliament resumes on Tuesday, following a privilege committee report which found he had misused his parliamentary entitlements.

"My opinion is that the Houses of the Victorian Parliament possess the power to expel one of their members," Mr Williams wrote in the advice. "This power may be exercised at the discretion of the House, including to expel a member for contempt. "If a resolution expelling a member is expressed in general terms, such as by providing for expulsion for 'a serious breach of privilege', any legal challenge can be expected to fail."

Premier Denis Naphthine has so far rebuffed the Opposition's demand to expel Mr Shaw, on the basis that the government was seeking legal advice on whether such a move would withstand pressure if the former Liberal MP challenged it in court. The government is believed to favour suspending Mr Shaw instead, though he would still likely receive his parliamentary salary.

Shadow attorney-General Martin Pakula today said it was now "absolutely clear" that Parliament could expel Mr Shaw for misusing his parliamentary car and petrol card, despite the significant precedent this would set. "In the Opposition's view, this removes from the government the last excuse not to act," he said. "This advice is clear, it is unequivocal, and it is from an extremely eminent constitutional lawyer. "We think this advice backs us all the way."

<http://www.theaustralian.com.au/national-affairs/state-politics/constitutional-expert-george-williams-says-renegade-victorian-mp-geoff-shaw-can-be-expelled/story-e6frgczx-1226947371421>

### Labor moves to expel Shaw after legal advice

June 8, 2014 Richard Willingham *State Political Correspondent for The Age*

Victorian parliament has the power to expel embattled independent MP Geoff Shaw and any legal challenge is likely to fail, according to legal advice from an eminent constitutional

expert. Advice provided to Labor by Professor George Williams says that the Victorian parliament possess the power to expel an MP. "This power may be exercised at the discretion of the House, including to expel a member for contempt," Mr Williams says. "If a resolution expelling a member is expressed in general terms, such as providing for expulsion for 'a serious breach of privilege', any legal challenge can be expected to fail."

Labor is set to move a motion to expel Mr Shaw when parliament resumes on Tuesday. The government has said it wants to punish the former Liberal MP appropriately and to make sure any sanction cannot be challenged. Mr Williams says the law provides very limited grounds upon which to challenge the expulsion of a MP.

If the lower house specifies that Mr Shaw is to be expelled for being 'guilty of a serious breach of privilege' then Mr Williams says "no court challenge could succeed." He also says the fact a challenge is unlikely to succeed does not prevent such a challenge being made. "Injunctive relief might be sought as part of such a challenge."

Senior Minister David Davis on Sunday morning said the government was still taking legal advice on what was a very complex matter but admitted it was a major distraction for the government trying to sell its agenda. Shadow Attorney-General Martin Pakula said the advice removed the government's last excuse not to act. "This advice is clear, it is unequivocal and it is from an extremely eminent constitutional lawyer," Mr Pakula said.

"They want to talk tough on Mr Shaw but they haven't shown any willingness to do anything tough." He admitted it was a "big step" to expel a MP but said the circus had to end. There have been some MPs privately express concern that removing Mr Shaw set a dangerous precedent for other MPs that misuse their entitlements.

"There is no question that MPs are on notice and that every action of a MP is going to be subject to scrutiny," Mr Pakula said. Five MPs have been expelled by the Victorian lower house, the last was Edward Findley in 1901 for libel of the King. In 1861 Patrick Costello was expelled for electoral fraud, eight years later James Butters and Charles Jones were turfed on grounds of bribery corruption. Charles McKean was expelled in 1876 for criticising the lower house.

<http://www.theage.com.au/victoria/labor-moves-to-expel-shaw-after-legal-advice-20140608-39qv6.html>