



Premier Denis Naphthine to defy threat of election

JOHN FERGUSON THE AUSTRALIAN
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Appearing at a late press conference, Victorian Premier Denis Naphthine stood firm against the demands of Geoff Shaw. Courtesy: Sky News.

Naphthine - 'The government will not be held to ransom. VICTORIA is facing the serious prospect of an early election after rebel Liberal independent Geoff Shaw last night dumped his support for the minority Naphthine government and pledged to back Labor in any no-confidence motion in the administration.



Opposition leader Daniel Andrews has indicated that he will get together with Denis Naphthine and the Governor of Victoria Alex Chernov to discuss the situation. Courtesy: Sky News

While Premier Denis Naphthine last night declared his government would not be held to ransom by Mr Shaw, Labor leader Daniel Andrews last night called on the Liberal leader to join him in meeting Governor Alex Chernov today to seek advice on how to resolve the state's constitutional crisis.

Mr Andrews declared Labor would pass the Naphthine government's budget but would not be drawn on whether Labor would move a motion of no confidence, which with Mr Shaw's backing could force a vote on the government's future by Thursday next week. Under the state's constitution, if any no-confidence motion is passed and a vote of confidence in the premier and the government is not passed eight days later, the Legislative Assembly can be dissolved.

Mr Chernov yesterday met Mr Andrews at Government House and discussed the crisis crippling the government, which faces the polls on November 29. Dr Naphthine last night savaged Mr Shaw and challenged Labor to accept Mr Shaw's vote next week. He accused Mr Shaw of making unreasonable demands this week to ensure that a vote was not held next week on whether to find him in contempt for robbing his parliamentary car and petrol allowances. He also accused Mr Shaw of previously demanding that a judicial appointment be made on Mr Shaw's recommendation.

"I can't be held to ransom for those sorts of outrageous demands. From time to time, Mr Shaw has made other demands of the government, which we have not accepted," he said. "That is outrageous, that is extreme, that is ludicrous, that is not tolerated by me as Premier — it would not be tolerated by the people of Victoria. And we say no to Mr Shaw." Mr Andrews said that Labor was ready to go to the polls. "I am ready to give Victorians a choice," he said.

He said there wasn't any doubt that there was a constitutional crisis and a joint meeting for both leaders with the Governor was the right way forward, although convention is that the governor of the day takes the advice of the government. Dr Naphine is scheduled to travel to regional Victoria today and his office accused Mr Andrews of conducting a stunt. Mr Andrews said the opposition would not deal directly with Mr Shaw and the separate debate on whether Mr Shaw was in contempt of parliament for misusing his parliamentary car and petrol card should still be debated.

He vowed to refer to the anti-corruption commission claims that Mr Shaw had sought from the government a judicial appointment for a third party. The extraordinary events come after 3½ years of turmoil in the government, which involved a change of premier and intensified in March last year when Mr Shaw quit the Liberal-Nationals government and turned independent.

Mr Shaw was last year found to have rorted his parliamentary car and petrol card for his private business use, but police fraud charges were dropped. Mr Shaw's decision to dump the government was caused by a bitter row with former Liberal Speaker Ken Smith, who has vowed to back Labor next week in a separate motion designed to find Mr Shaw guilty of contempt of parliament over his misuse of his taxpayer-funded car and petrol card.

Mr Shaw holds the balance of power in the 88-seat Legislative Assembly, with the numbers falling 43 to Labor and 44 to the Coalition and Mr Shaw. *The Australian* understands that Mr Shaw was "beside himself" on Monday, furious with the government for failing to stop Mr Smith from voting with Labor and potentially suspending or expelling him from the party over the privileges committee report into his misuse of his expenses.

Mr Shaw said late yesterday that he had sought an assurance from Dr Naphine that Mr Smith would not vote with Labor in any vote to punish him. He said he had been unhappy with the response and could no longer trust the government. "And I will support a no-confidence motion in the Premier and in the government," Mr Shaw told the ABC.

"The government is saying they can't control one of their own and it wouldn't surprise me if they've had Ken Smith do that himself." The current fixed four-year term date for the election is November 29. Under Victoria's constitution, the Legislative Assembly must first pass a motion of no confidence in the premier and the other ministers. This would occur if Mr Shaw sided with Labor.

Eight days must then pass and if a motion of confidence is not then passed in the premier and the government, the assembly can be dissolved. A Labor no-confidence motion with Mr Shaw's backing would hand it 44 votes and the Liberal Speaker would not vote. If Mr Shaw were to quit politics this month, a by-election in his marginal seaside electorate of Frankston, about 40km southeast of Melbourne's CBD, is still a live option, something the government would not relish. Mr Andrews has campaigned heavily on what he argues is the fact that Mr Shaw has rorted the system.

Dr Napthine said last night Mr Andrews had long argued that he would not accept Mr Shaw's vote. Mr Smith said last night he would not back down on his bid to have Mr Shaw made in contempt of the parliament over the misuse of his car. Dr Napthine has been attempting to force Mr Smith to back down on his attacks on Mr Shaw and his threat to support Labor in any contempt of parliament motion. Internally, Dr Napthine and other senior Liberals are furious with Mr Smith for triggering the constitutional crisis. Mr Smith is furious with Mr Shaw after Mr Shaw forced him out of the Speaker's chair after a dispute over parliamentary security and an Ombudsman's inquiry into Mr Shaw. Mr Shaw has said that he wants to contest the next election as an independent.

<http://www.theaustralian.com.au/national-affairs/state-politics/premier-denis-napthine-to-defy-threat-of-election/story-e6frgczx-1226942230982#>