

## Labor Wins Queensland Election, but LNP Refuses to Concede

Written by The Conversation

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At the Queensland election held on the 31 January, [Labor won 44 of the 89](#) parliamentary seats, and [Independent Peter Wellington](#) will support Labor. With Wellington's support, Labor will have 45 of 89 seats, enough to form government. The Liberal National Party (LNP) is very likely to win 42 seats, and the remaining two seats will go to the Katter's Australian Party (KAP).

There was some prospect of an Independent winning from third place on primary votes [in Maryborough](#), where Chris Foley trailed Labor by 4%. However, an indicative preference [distribution has Foley trailing Labor](#), and Labor will win the seat, as they have a clear 51.6-48.4 margin after preferences against the LNP.

In 2012, the [LNP won a record majority](#) with 78 of the 89 seats to just 7 for Labor. The 2015 election will be remembered for the LNP losing that record majority, and government, with Labor's seat total up 37 from the 2012 election.

### The Ferny Grove Situation

A problem for Labor is that the Labor win in Ferny Grove could be invalidated owing to a Palmer United Party (PUP) candidate who was an undischarged bankrupt, and was thus an illegitimate candidate by Queensland law. On current counting, Labor's Mark Furner leads in [Ferny Grove by 50.7-49.3](#), with only 3.4% for PUP. An argument could be made that, because the current Labor lead of 1.5% is less than PUP's support, the presence of the PUP candidate may have affected the result. In my opinion, the Labor win is clear cut, but I am not a lawyer, and cannot predict what the courts will decide.

However, the [argument made by LNP leader Lawrence Springborg](#) that a government cannot be formed until the courts resolve this matter is a nonsense. When all seats are decided, the returning officer for the state of Queensland will return the writs to the Governor. At this point, all members elected at the 2015 election will have the right to sit and vote in Parliament, and Mark Furner will certainly vote for a Labor government.

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After the writs are returned, the Electoral Commission will refer Furner's election to the courts, but this case will probably take months to be decided in court, during which time Furner can vote in Parliament. If the courts order a by-election, Parliament will be prorogued (suspended) pending the outcome of that by-election.

The LNP wants to remain in caretaker government mode until after the courts have decided Ferny Grove; this is the advice they will give the Queensland Governor, Paul de Jersey. If this advice were to be followed, then Parliament would not sit, and other government functions would not be performed, until Ferny Grove was resolved. de Jersey is far more likely to commission Labor leader Annastacia Palaszczuk as Premier.

[Ferny Grove](#) is an urban seat that voted for Labor from 1992-2009 before the LNP won it in 2012. The only way the LNP could form government after a Ferny Grove by-election would be with the support of the rural KAP. It is unlikely that such an alliance would be palatable to an urban electorate, and I would expect Labor to easily win a by-election.

[Antony Green](#) has much more on the Ferny Grove situation.

*Adrian Beaumont does not work for, consult to, own shares in or receive funding from any company or organisation that would benefit from this article, and has no relevant affiliations.*

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