

## **Peter Spencer wins his day in High Court**

by Lucy Knight via reed - Farm Weekly *Wednesday, Sep 1 2010, 8:45am*

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PROPERTY rights crusader, Peter Spencer, who went on a hunger strike on his southern NSW farm earlier this year, has broken down outside the High Court in Canberra following an unanimous decision in his favour to finally have his case heard.



***Peter Spencer during protest hunger strike***

Mr Spencer has been arguing that under the constitution he should be compensated for his loss of property rights stemming from land locked up under native vegetation laws and the carbon credits from that land "stolen" by the Federal Government.

In June Mr Spencer applied for leave to appeal a decision by the Federal Court that his case against the Commonwealth not be heard.

But the [High Court](#) today ruled that Mr Spencer has a case to be heard, and that there was essentially no case to stop it from being heard.

The [High Court also ruled](#) the Commonwealth pay full costs for Mr Spencer.

In January Mr Spencer attracted national and international media attention when he undertook a 52-day hunger strike to raise the profile of his fight for proper recognition of property rights.

He hugged supporters outside the court and broke down when asked what the ruling meant to him and all Australian farmers.

Mr Spencer said the decision means "rural Australia will now have hope".

"To have a rural Australia, a civil Australia, you have to have property that belongs to people; that people respect.

"Between the citizens, and between the Government and the citizens.

"Today we have proved after 13 years that it's worth believing.

"When I first spoke of carbon 13 years ago, people said 'what are you talking about?'

"It has been the biggest lock-up, the biggest takings, in the free world out of war time.

"It represents 109 million hectares. 90 per cent of Australian land was stolen from the people and used to meet an international carbon treaty when it should have been taken from the coal-fired power stations.

"This was a cover-up of the worst proportions."

Mr Spencer said by allowing the case to proceed and his evidence to be heard it would reveal "treachery against the Australian people".

Mr Spencer said the support of Australian farmers in his fight had buoyed him to keep going.

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