

# The Peter Spencer Story

## Background:

In 1997, Australia was negotiating its Kyoto allowable Emissions Targets for the period 1990 – 2012. It was agreed that the limit would be 8% above Australia's 1990 levels. It was also agreed that, to meet this difficult target, Australia could generate credits by not clearing land.

The land selected for "locking up" was 109 million hectares (or 19%) of Australian farmland, including Peter Spencer's land. For a world that is running short of food, locking up productive farmland is a funny way to save humanity from climate change.

As the Federal Government "could not afford compensation", and as the Australian Constitution requires the Commonwealth to pay fair compensation for appropriated property, they called in the states to do the land stealing. As most state constitutions do not specify fair compensation for appropriating property, they were able to restrict what could be done with the land without paying the land owners anything. In NSW this was achieved using the Native Vegetation Conservation Act of 1997. Effectively this meant the owners could not do any maintenance work on their properties. Obviously if you can't maintain a farm it will reach the point where the farm's ability to produce ceases. This "can't use" overlay did not eliminate the farmers from paying mortgages, property taxes and day-to-day expenses.

Peter Spencer decided to fight the stealing of his land and livelihood through the courts.

## Peter's Story:

Peter has tried to take his case to court 200 times at last count. The courts on every occasion did not even let him present his case. And as one barrister told him "You maybe right but you wouldn't win". The federal government said it was nothing to do with them and the NSW state government basically said "the law allows us to do this". The state governments have been used as the federal's "hit men".

He has been doing this, not only for himself, but for other landholders in the same situation.

After ten years of unsuccessful legal actions, Peter came to the conclusion that a new approach was required. Denied access to the courts, the only thing left for him to do was to take his case to the people.

He did this by going on a hunger strike. Peter has been sitting on a small platform 60m up a wind monitoring mast on his property 'Saarahnlee' near Cooma in NSW. As of 3-01-10 he has been up there for over 40 days. During this time his only sustenance has been water with a dash of lemon in it.

Up until Christmas the main media outlets have shown very little interest in Peter's story. I suspect that the governments have been putting pressure on them, as they don't want this story to go main-stream. Headlines like "Australian Government Steals Farmer's Land to Meet Kyoto Commitments" is not what they want to see.

As far as I'm aware Barnaby Joyce (on December 18<sup>th</sup>) is the only politician to visit Peter. On his return he said that the government was guilty of theft and should scrap vegetation protection laws or compensate the farmers. The government went ballistic.

Since Christmas, Radio 2SM and its affiliates across NSW have opened up their talk back programs to Peter's cause. The response has been unbelievable. For at least 3 days over morning, afternoon and evening sessions it was the only topic. They have had more callers and more emails than for any other subject ever. The Sydney Daily Telegraph has also run two articles (29/12, 31/12). A Current Affair (who did an earlier interview) is apparently going to do another one.

There are now many web sites that provide information about Peter and what he is trying to achieve. Just Google for **Peter Spencer** or **Saarahnlee**.

There is also a planned demonstration in Canberra (on Monday 4/1/10) by Peter's supporters so the message is starting to spread (although the organisers were told that RTA inspectors would hold up the buses to stop them reaching Canberra, so private cars are now being used).

### **After The Hunger Strike:**

It appears likely that the government will not agree to Peter's main demand, which is to set up a Royal Commission to review this whole sordid episode. I suspect that all they are really concerned about is that, if he dies, it will be a significant embarrassment to the government.

- They may be forced to explain to all Australians how, in a free democratic society, they can justify confiscation without compensation?
- They may have to explain how taking farming land out of production going to make the world a better place to live?
- And as this confiscation was done to meet carbon emission quotas they may have to explain whether they will do this again as the quotas get more and more difficult to achieve?
- They may be asked whether the laws or constitutions will be changed to ensure this never happens again.

We should continue to rage against this injustice until the governments rescind the "laws" that allow them to take private property without fair remuneration. We should also insist that if they want to cut emissions using Peter's land they should also pay his legal debts so that his family can keep the property which has been in the family since the 1830's.

Should Peter never come down, the wind tower will become a monument, our sacred site, to a man who was willing to give his life so that current and future Australians can feel safe in the belief that they do live in a free country where their home and their land is theirs.

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03-01-2010