Victoria Park Racing & Recreation Grounds Co Ltd v Taylor (1937) 58 CLR 479


Facts

- A man set up a platform in his property and charges people a certain amount to view the Victoria Park races from it
- VP sues for trespass

Issue

- Are there property rights in a spectacle?

Held

- There can be no property rights in a spectacle.
- Any profit made from a premise is made so by charging entrance to an area.
- You should not have to divert your eyes from something as you walk past so there is no difference here.
- The P could complain that the actions diminish their profits. However how is this different than Taylor setting up a racecourse next door?

Law case summary from www.lawcasesummaries.com