

Criminal Code (Defence of Dwellings and Other Premises - Castle Law) Amendment Bill 2024

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Submitted by: Rhys Bosley
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I am running as an independent candidate for the seat of Algester at the 2024 Queensland election. I have the following contribution to make with regards to the CRIMINAL CODE (DEFENCE OF DWELLINGS AND OTHER PREMISES - CASTLE LAW) AMENDMENT BILL 2024, which has been introduced to Parliament by the Member for Hinchinbrook Nick Dametto, from Katter's Australian Party.

1. I fully support this bill.

I am a martial arts practitioner with over fifteen years experience in Kempo, Karate, Krav Maga and other self-defense systems. Krav Maga in particular is an Israeli military self-defense system which I trained in for five years, specifically because of its superior knife defense training.

Even after extensive training it is quite clear that a knife is a very difficult weapon to defend against, is commonly available, concealable and as we have seen in the killing of Vyleen White, the Kingscliff attack and the Bondi Massacre, is extremely lethal. A lethal knife attack may happen even before the victim is aware that the assailant has a knife, necessitating extreme care and pre-emptive action when dealing with a potential threat.

In one's own home escape is often impossible, especially if defending children or other vulnerable people. The best odds of defending against an approaching home invader is likely to be neutralizing them before they can kill you.

If that involves using force that seriously injures or kills the home invader, I consider it manifestly unjust that the victim may then be subject to legal action for grievous bodily harm or homicide. Victims of home invasions should not be put in a position where hesitation about what action to take may put their own lives at risk. Nor should they have to go through the stress and expense of legal proceedings, with the possibility of jail if excessive force is found to have been used.

Please start putting the victims first and support this bill.

2. If the Parliament is concerned about the lives of criminals engaging in home invasions it should give law abiding citizens the option of owning and using nonlethal self-defence items like pepper spray, tasers, stun guns and batons, to defend themselves. I submitted to this opinion to the now defunct youth crime committee and predicted that a criminal would be killed by a citizen who has been forced to defend themselves¹. That has subsequently happened at Kingscliff, when the citizen was forced to use a knife to defend himself against an axe attack.

¹ documents.parliament.qld.gov.au/com/YJRSC-6004/YJRSC-54D8/submissions/00000022.pdf

I also raised a petition to legalise these items in response to Vyleen White's murder, it raised 2563 signatures in a month.² This petition was rejected, with the acting Police Minister Meaghan Scanlon citing Queensland Police Advice that these items are too dangerous for citizens to use.

With the Kingscliff tragedy and the Bondi massacre, I have invited Minister Ryan to reconsider this decision³. In particular I would like to see any decision made to be informed by:

- a quantified, publicly-available risk assessment by the Queensland Police, which uses data from other jurisdictions on non-lethal self-defense item use, to come to an informed decision.
- advice from sources other than the Queensland Police, to counter any biases and knowledge gaps in relation to civilian self-defense.

I also spoke to the Premier about this at the recent youth crime rally outside Parliament House, in particular reinforcing with him that he and his ministers are responsible for decision making on these matters, not the police. ⁴

I ask that your committee note the potential life-saving complementarity of legalising non-lethal self-defense items with Castle Law, and recommend that the Queensland Government legislate for these items to be made available to law abiding Queenslanders.

Regards,
Rhys Bosley
Independent Candidate for Algester
email: [REDACTED]
https://[REDACTED]



²www.parliament.qld.gov.au/Work-of-the-Assembly/Petitions/Petition-Details?id=4019

³www.facebook.com/photo?fbid=411729058378309&set=pcb.411729541711594

⁴www.facebook.com/photo?fbid=411728931711655&set=pcb.411729541711594