

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

**Submission No:** 23  
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### Submitter Comments:

At approximately 3am on [REDACTED], my partner and I were woken up by some unusual noises from outside our bedroom window in the carport. I went out to my carport to investigate the noises, there I was confronted by the silhouette of a person stood between my house wall and vehicle. My eyes had not adjusted to the dark and the person was wearing a hoodie - I was unsure of their age, sex, accurate size or level of threat to me. The only thought that went through my head was 'don't hurt this criminal or I will be the one to go to jail.' Because of this thought, my reaction was to grab the attacker when they lunged at me in an attempt to subdue them. After I had become entangled with the attacker, they threatened me with a knife - which up until that point I was completely unaware of. What followed was a prolonged struggle to maintain control of the person's arms & hands for fear of being stabbed. Despite repeated demands from myself, my girlfriend and my neighbour (who was woken by the commotion) the attacker would not relinquish the knife and continued to swing it around and attempt to break my hold. My size, strength & ability to hold the attacker were the only reasons I was not directly injured with the knife. I did, however, sustain significant injuries to both hands, arms and knees from the struggle on my concrete driveway. The resulting infection caused significant discomfort, multiple missed shifts on my roster (casual employee so no pay), scarring and I required a full course of antibiotics to start healing. If you are reading this, I invite you to consider if this advance had not been against me (male, early 30s, 95kg) and instead had happened to person of smaller stature. Or an elderly person. Or a person with an underlying health condition. Or a parent being distracted by their child out of bed from the commotion. Would they have received life-threatening injuries from the knife? Residents need to be able to focus first and foremost on defending themselves and their dwelling, by whatever means they deem necessary in that moment. The efforts of my neighbour and I had the attacker disarmed and tied up well prior to police attending - with no damage done to the attacker (to my knowledge). Though this was all with me, my girlfriend and my neighbour being at far greater risk than necessary. Given that scenario again, as a resident I should feel full confidence to defend myself and my property WITHOUT hesitation or doubt. In my case, that would have been a significant amount of striking force to subdue the attacker before they moved in to close quarters and consequently put me in danger of the knife (keeping in mind I had no idea they had a knife until after they had lunged at me). I am happy to elaborate on the details of the incident above, should it be of benefit. However, I trust that the context of the situation is apparent, particularly how the situation could have been de-escalated far easier with less risk to myself and others if castle law had been in place. Since this incident, I have felt ongoing frustration, anger & doubt stemming from the helpless impotence I felt in the initial moments of encountering this criminal trying to enter my home with a knife. Queensland's current laws do not support residents or property owners in their moment of need, they rather shield and protect the criminals who willfully choose to perpetrate against other members of society. Castle law for Queensland would send a clear message to the residents and would-be-criminals alike.