

Criminal Code (Defence of Dwellings and Other Premises—Castle Law) Amendment Bill 2026

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Premises—Castle Law) Amendment Bill 2026

Submission to Justice, Integrity and Community
Safety Committee

20th April 2026

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FamilyVoice Australia

FamilyVoice Australia would like to thank the Committee for taking the time to read this submission on Castle Law.

FamilyVoice Australia is a conservative Christian organisation which seeks to be a voice for family, faith and freedom. We are motivated by a desire to see Truth proclaimed, and the good upheld. Our vision is to see strong families at the heart of a healthy society: where marriage is honoured, human life is cherished, Australia's Christian heritage is valued, and fundamental freedoms are enjoyed.

People need good laws to promote their flourishing. FamilyVoice Australia believes that for laws to be good, they must be based upon Biblical principles. GOD through HIS perfect Word, has given us the guidelines for civil society and inter-personal relationships.

Micah 6:8 - He hath shewed thee, O man, what is good; and what doth the LORD require of thee, but to do justly, and to love mercy, and to walk humbly with thy God?

GOD created humans to flourish, to enjoy life and cooperate together. Unfortunately due to the sinful nature of humans, our hearts are wicked and evil, we seek to do evil to one another.

The Bible tells us;

Romans 3:10 : *As it is written, "There is none righteous, no, not one:"*

Romans 3:23 : *"For all have sinned and come short of the glory of God;"*

Human-kind is thus in rebellion to a Perfect, Just and Pure GOD! This rebellion carries a death sentence, which will result in the rebel being bound for Hell.

Romans 6:23a : *"For the wages of sin is death;"*

We ALL owe this wage of spiritual death.

Realise That God Loves You!

Romans 5:8 : *"But God commendeth his love toward us, in that, while we were yet sinners, Christ died for us."*

When Jesus died on the cross, He paid sin's penalty.

Salvation Is A Free Gift From God To You!

Romans 6:23b : *"... but the gift of God is eternal life through Jesus Christ our Lord."*

You can't earn this gift. You must ask and receive it.

You Must Ask God To Forgive You And Save You.

Romans 10:9-10 : *"That if thou shalt confess with thy mouth the Lord Jesus, and shalt believe in thine heart that God hath raised him from the dead, thou shalt be saved. For with the heart man believeth unto righteousness; and with the mouth confession is made unto salvation."*

Like Any Gift It Must Be Received or It Is Not Yours!

Romans 10:13 : *"For whosoever shall call upon the name of the Lord shall be saved."*

The ABC's Of Salvation:

1. ADMIT to God that you are a sinner.
2. BELIEVE in Jesus Christ as God's Son.
3. CONFESS your faith in Jesus Christ as Saviour & Lord.

Castle Law - A much needed rebalance

“a Queenslander’s home is their castle”

Your home should be a safe haven for you and your family. This simple assumption forms the basis for Castle Law. Allowing citizens the right to defend themselves, their families and their homes should not be seen as an extreme or radical proposal. The fact that there is opposition to this fundamental right highlights how the laws of Queensland are overwhelmingly in favour of the criminals. Queenslanders are sick of being treated worse than criminals.

FamilyVoice Australia supports this doctrine of Castle Law which rebalances the scales back in favour of ordinary mums & dads seeking to protect their own. Parents shouldn’t need to worry about the amount of force they are using when defending their children from violent home-invaders.

The current law forces victims of home invasions to second-guess their actions in split-second, life-threatening situations. This ambiguity or grey-area need not exist. We can have clear laws that enshrine the right to self-defence.

Additionally, Queensland’s self-defence regime also places the burden of proof effectively on the defender to justify that their response was reasonable. Good laws ought to protect the innocent. Why is the burden of proof put onto the innocent, and not on the home-invader?

Simply put, Castle Law is a rule that states - If someone breaks into your home and tries to hurt you or your family, you have the right to protect yourself - and you shouldn’t get in trouble for it.

Recommendation

It is the view of FamilyVoice Australia that the Committee recommend that this Bill be passed.

Historical foundation for Castle Law

This idea is not novel or new; it is well founded in the common-law tradition and is aligned with self-defence laws in other jurisdictions. The term “castle doctrine” is traced back to the centuries-old English maxim that “the house of everyone is to him as his castle and fortress”. Sir Edward Coke affirmed that a homeowner may legally defend his dwelling against violent intrusion as a fundamental right in *Semayne’s Case* (1604). Modern Castle Laws seek to codify this principle, reducing the burden on the innocent to justify defensive force and presuming their actions lawful if repelling a home-invader. By allowing individuals to use force – even lethal force if necessary – to stop an intruder, Castle Doctrine laws provide legal protection and peace of mind to citizens in moments of crisis.

The Fundamental Right to Self-Defence

The Right to Self-Defence is a key element of Western-Christian tradition. You can find this idea in multiple works that are considered a part of the canon of Western philosophy, including the Bible. That the right to self-defence is fundamental and granted by a power and force greater than the state is evident from Natural-Law and Revealed Revelation.

Great thinkers of the past have all seen that self-defense is a fundamental human right, and necessary for the flourishing of people and the protection of private property and social prosperity. We can look to thinkers such as **Thomas Aquinas**, **John Locke** and **Thomas Jefferson**.

The Bible is a foundational document of the Western world, it sets out two basic principles, in Exodus 22:2–3, that there is the right to own private property and the right to defend that property, with force if required.

“The right of self defence is the first law of nature.” -

— **St. George Tucker**

“In the Case of Justifiable Self-Defense the injured Party may repel Force with Force in Defence of his Person, Habitation, or Property, against one who manifestly intendeth... to commit a known Felony...”

— **William Hawkins**

“Self-defence is a part of the law of nature” — **John Locke**

*“That the house of everyone is to him as **his castle** and fortress, as well for his defence against injury and violence, as for his repose.”*

— **Sir Edward Coke**

*“Every man's house is deemed, by the law, to be **his castle**,”*

— **James Wilson**

The Current Situation

According to the Crime Report, Queensland, 2024-25, published by the Treasury, over 35% of crimes are happening in the victim's dwelling place. That means Queenslanders are unsafe in their own homes.



The State of Queensland (Queensland Treasury) Crime report, Queensland, 2024–25.

The count of violent 'unlawful entry with intent-dwelling' offences have continued to increase. They have risen by 6.4% from the figures in the 2023-24 report. In Queensland there were 1,025 recorded violent home invasions. This situation needs serious attention. Queenslanders should be safe in their own home.

	Recorded offences			Recorded offences per 100,000 persons		
	2023–24	2024–25	Change %	2023–24	2024–25	Change %
Unlawful entry						
With violence	963	1,025	6.4	17.4	18.2	4.1

The State of Queensland (Queensland Treasury) Crime report, Queensland, 2024–25.

Responses to Objections

Objection 1. Criminals will get hurt

Response: The hurt or injury only occurs after the individual has taken an act to infringe upon someone else's freedom, property and privacy. There can be no harm done to the home invader if they did not first seek to disrupt the peace and security of another. Justice is not then served by placing the aggressor above the one defending their home, family and life.

Castle Law is not about promoting unnecessary violence. Its aim is to give occupants legal protections against unintended consequences of defending themselves. Law abiding people don't want to initiate trouble, but they must be able to safely stop troublemakers, who are themselves bent on crime. In a free society it is morally legitimate and proper to protect yourself with force when the situation requires it, in order to preserve the communities' good order and safety.

Objection 2. This will promote violence

Response: Castle Law does not promote violence, the violence has already occurred when someone invades your home, your castle. The violent intruder is the one promoting violence and lawlessness. Castle Law seeks only to secure a basic human right that people are able to defend themselves, their homes and their families thus restoring peace to society.

In fact not having the ability to defend yourself, with whatever force the individual feels is necessary to repel or neutralise the invader promotes violence.

Objection 3. Castle Law is a vigilante law

Response: Castle Law is not a vigilante law, as it does not allow citizens to dole out executions on anyone. It is not enabling people to pass judgement on anyone. Self-defence does not enable groups or individuals to go out looking for trouble to correct. Castle Law clearly states that force can only be used in order to defend yourself or others in your legal abode. This use of force to defend ones-self is consistent with the fundamental human right of self-defence.

Adopting Castle Law is an important step towards achieving a more balanced approach to our treatment of innocent Queenslanders dealing with the rampant home-invasions.

Community Expectations

Community support for Castle Law is unmistakable. With crime and home invasions on a rampage, the community must be given the right to protect themselves and the ones they love. The goal is not to promote violence, but to ensure that the innocent are not punished for protecting themselves from violent crime.

An e-petition sponsored by Katter Party Nick Dametto (4267-25) has obtained over 113,380 signatures. This is the largest e-petition in Queensland history. Queenslanders clearly feel that the current legislation is now supporting their right to defend themselves from violent home-invaders.

What Queenslanders are saying about Castle Law

Statements gathered from previous submissions in 2024 to the lapsed *Castle Law* Bill can be found below.

“Castle Law would restore the balance and put the rights of victims before offenders”,

“Castle Law would protect the victims, not the criminals.”

“Castle Law is not about violence — it’s about safety and fairness.”

“If someone breaks into your home and threatens you, you should be able to protect yourself without being treated like a criminal.”

“I believe anyone should have the right to defend themselves and loved ones against intruders without fear of prosecution.”

“We want to feel safe in our home.”

“Gambling your family’s life on the assumption they are only there to steal is a hell of a gamble.”

“The rights of homeowners have been eroded to a point where criminals are offered more protection from the law than their victims.”

“Queensland’s current laws do not support residents or property owners in their moment of need... Castle law for Queensland would send a clear message to the residents and would-be-criminals alike.”

Final Remarks

FamilyVoice Australia is urging the Committee to recommend that this Bill be passed.

It is imperative that Castle Law be introduced to provide Queenslanders confidence that the law is on the side of the innocent. Our homes should be a place of safe haven for you and your family, currently that is not the case in Queensland. Dwellings are the scene of violent invasion. Castle Law will help restore order.

Allowing citizens the right to defend themselves, their families and their homes should not be seen as an extreme or radical proposal. It is a rebalancing and restoration of justice.

Queenslanders are sick of being treated worse than criminals. We urge the Government to side with the community on this issue. Over 113,000 Queenslanders want the security that Castle Law would restore.

FamilyVoice Australia supports this doctrine of Castle Law. Thank you for taking the time to read this submission.

GOD BLESS Australia,

Martin Proctor
on behalf of FamilyVoice Australia

