

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

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Introduction

I am writing in support of the proposed amendments relating to the use of force in defence of persons and property.

As a small business owner operating in Queensland, I believe this Bill addresses a very real and growing concern within the community — the inability for individuals and business owners to confidently protect themselves, their staff, and their property.

Impact on Small Businesses

Small businesses are frequently exposed to theft, trespass, and property damage. Unlike large organisations, we do not have the luxury of extensive security infrastructure, nor the capacity to absorb repeated financial losses.

Incidents such as:

- theft of tools and equipment
- unauthorised access to worksites
- damage to property and vehicles

are not uncommon and can significantly impact operations, cash flow, and staff morale.

Beyond financial loss, there is also a serious human element. Business owners and employees are often placed in situations where they feel unsafe or threatened on properties they have a right to occupy.

Current Limitations

At present, there is a level of uncertainty around what constitutes “reasonable force.” This lack of clarity creates hesitation in situations where immediate action may be required.

Many people are left weighing:

- their personal safety
- their legal risk

in high-pressure moments. This hesitation can place individuals at greater risk of harm. Moreover, it’s unreasonable to assume that in such situations an individual would be capable of making a split second decision based upon detailed legal interpretation.

Support for the Bill

I support this Bill because it:

- Provides clearer guidance on the rights of individuals to defend themselves and their property
- Reduces ambiguity around the use of force in legitimate situations
- Empowers law-abiding citizens to act with greater confidence when faced with unlawful intrusion

Importantly, this Bill recognises that people should feel safe in their own homes and places of work. No individual should feel helpless or legally exposed when responding to a genuine threat.

Deterrence and Community Impact

In addition to empowering individuals, I believe this legislation may serve as a deterrent.

Clearer and stronger legal protections send a message that unlawful entry and criminal behaviour carry increased risk. This has the potential to:

- reduce opportunistic crime
- improve overall community safety
- restore confidence among small business owners and residents

Conclusion

This Bill represents a practical and necessary step toward strengthening the rights of Queenslanders to protect themselves and their property.

From a small business perspective, it addresses both the financial and personal risks associated with crime and provides much-needed clarity in situations where decisions must be made quickly.

I support the passage of this Bill and encourage the committee to consider the real-world impact on small business operators and everyday individuals.