

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

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I strongly support the proposed amendment to introduce a clear and robust 'Castle Law' in Queensland. A person's home should be considered a place of safety, and we should have the right to defend it, themselves and their family if faced with an intruder. This Bill is necessary to restore balance between the law-abiding citizen and those who chose to commit crimes.

The current requirement is to respond with 'reasonable' or 'proportionate' force. This places unfair burden on victims in high stress, life threatening situations. If confronted with an intruder, it would be very hard to have time or clarity to assess what level of force is legally acceptable. The legal ambiguity punishes victims after the fact for actions taken in fear and self-defence.

The need for reform is even more apparent when considering vulnerable individuals such as women, elderly or disabled residents being confronted with a stronger, armed intruder. The expectation that they must match force 'equally' is unrealistic and dangerous. There should be no limit in the way someone defends their home or family against an intruder. The law should recognise that individuals are not equal in strength, capability or circumstances and therefore must be allowed to use whatever force is necessary to neutralise the threat.

in addition, the proposed Castle Law would act as a deterrent to criminal behaviour. If offenders know that entering a private dwelling carries the risk of decisive, defensive action by occupants, it may discourage home invasions and violent burglaries. The responsibility should lie with the offender who chooses to unlawfully enter a property with harmful intent, not the homeowner who is forced into a defensive situation. Entering someone's home unlawfully should carry the understanding that the occupant has the right to defend the home and family with whatever force is necessary without the threat of legal action.