

Legalise
CASTLE LAW

Libertarian Party - Victorian Castle Law Policy

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Right now, in Victoria, if someone breaks into your home, the law may protect them more than it protects you. As a homeowner or renter you can face legal consequences just for defending yourself, your family, friends and your property. This must change.

In government the Victorian Libertarian Party will

Ensure your legal rights to protect your home, family and friends.

Our legislation will be based on United Kingdom law known as Castle law. This will mean you have special provisions around self-defence in your home, only prohibiting conduct that is "grossly disproportionate".

Explanation

Victoria has seen a steady increase in aggravated burglaries since 2018 with a significant increase in the past year. More homes are being broken into, often by armed offenders.

The way that Victorian law is currently constructed a person must have a “reasonable belief” that their actions were “necessary” in the circumstances.
Any actions they take must only use reasonable and proportionate force.

If a trespasser has not said anything or acted in a way that creates a perceived threat, the argument of self-defence may not be available. This means that it is not clear if you can act to defend your property against an intruder who is in the process of breaking into it.

Victorian law doesn’t have any special protections for actions taken in your own home.

Under UK law there are special provisions around self-defence in the home, only prohibiting conduct that is “grossly disproportionate”.

In the UK, you are legally allowed to defend you home (castle).

Victoria needs to update our laws to ensure that people can reasonably defend their homes.

The Libertarian Party in government will do this.

What is Castle Law?

Castle Law, also known as the Castle Doctrine,is a legal principle that affirms a person's right to use reasonable force, including self-defence, to protect yourself, your family, and your home from unlawful intrusion or attack.

The concept of Castle Law originates from a Latin phrase cited by English jurist Sir Edward Coke in the landmark Semayne's Case of 1604:
"Domus sua cuique est tutissimum refugium"
"Every man's home is his safest refuge."

This became the foundation for the well-known principle:
"Every man's home is his castle."

At its core, Castle Law recognises that your home should be a place of safety and sovereignty. If someone unlawfully enters your property, you should not be forced to choose between becoming a victim or facing criminal charges for defending yourself.

The Libertarian Solution

When it comes to personal safety and the right to defend your home, Victoria's laws fall short. At the Libertarian Party, we believe it's time to fix that. Our solution is simple, principled, and focused on protecting everyday Australians — not punishing them.

David Limbrick (Victorian Libertarian Leader) introduced a Castle Law motion into the Victorian Parliament.



David Limbrick is the Victorian Libertarian Leader.

David said “Every person has the right to protect their home, family, and property from harm. “

Under current Victorian law, that right is uncertain and too often places the burden on the victim. We support Castle Law reforms that give homeowners clear legal protection when using reasonable force to stop an intruder — just like in the UK and other free societies.

1. You Should Be Able to Defend Your Home
2. We Believe in Justice, Liberty, and Personal Responsibility.

The Libertarian Party exists to uphold individual rights and reduce government overreach. Our position is clear: the law should protect the innocent, not shield criminals. We support reforms that trust people to act responsibly and defend what’s theirs — without fear of prosecution.

3. We're Calling for Immediate Legislative Review. Victoria’s self-defence laws are outdated, unclear, and out of step with public expectations.

We are calling on the Victorian Government to urgently review these laws and introduce reforms that protect homeowners who act in good faith. But without broad community support, meaningful change is unlikely.

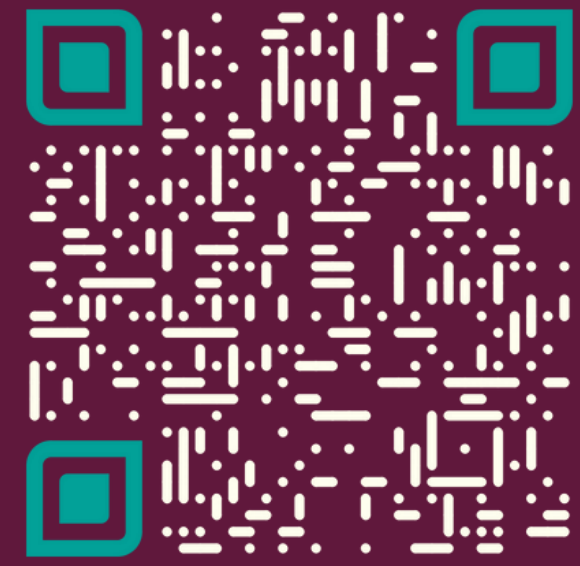
Victorians should not be punished for defending their homes.



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Our Policies



Libertarian

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