

Safe egress: A Locksmith's Legal Duty

Presentation for Master Locksmiths Association

Date: 5 August 2025



Who is Sound Counsel?

Sound Counsel are a small, client-focused law firm, that believe in truly listening to & serving your legal needs.

Our key areas of practice for businesses are commercial law, contract law and workplace relations.

We also handle personal legal matters such as property investment structuring, conveyancing and estate planning.

Why this matters

- Lives depend on it: fire, illness, emergency scenarios
- Legal risks for locksmiths
- Balancing safety and security

Purpose of Presentation

- Provide clear guidance on lock installation requirements
- Help you protect yourself and your business when dealing with clients, property managers etc.
- Give best practice compliance tips.

The Law in a Nutshell

- The key applicable laws are:
 - Housing Improvement Regulations 2017 (SA), regulation 15(e)
 - National Construction Code (NCC) Volume 1 & 2
 - Common Law Duty of Care

Legal Standards for Egress

- Housing Improvement Regulations 2017 (SA), Regulation 15(e): Safest interpretation = Lock must allow exit from inside without a key
- NCC Volume 1 (D3D26) & Volume 2 (H5): Safe egress is critical
- No deadlocks or locks disabling internal handles

Life safety & fire safety is **paramount**.

Notable coronial findings related to door egress

- Inquest into the death of **Connie Zhang** (NSW, 2015)

In 2012, a fire in a Bankstown apartment led to the tragic death of 21-year-old Connie Zhang. The coroner's report emphasised that the building lacked adequate fire safety measures, including proper egress routes. While the report focused on various safety deficiencies, it highlighted the broader issue of ensuring that occupants can safely and quickly exit buildings during emergencies

- The **Childers Palace Backpackers Hostel fire** in Queensland (2000) killed 15 young travellers after a deliberately lit blaze rapidly spread through the building. The coroner found that inadequate fire alarms, obstructed or unclear exit paths, and barred windows prevented safe escape. The tragedy highlighted the critical need for **egress routes that are clearly marked, accessible, and openable without keys, tools, or special knowledge**. It remains a key case underscoring the responsibility of building professionals, including locksmiths, to ensure exit doors are not obstructed or rendered inoperable during emergencies.

These cases illustrate that non-compliance with egress requirements can have severe consequences, including loss of life and legal ramifications.

Key Concepts from the NCC

- Doors must be readily openable.
- No tools, no keys or special knowledge should be required to open from inside.
- Applies to houses, apartment, and commercial buildings
- Includes gates, yards and pathways

Egress doesn't end at the front door - the whole escape path matters.

Implications for Locksmiths

- Potential liability if egress is impeded
- Duty to warn clients of risks

Acceptable Locking Systems

Compliant:

- Single-cylinder deadbolts
- Snib setups
- Security screens (keyless from inside)

Non-compliant:

- Tri-locks with deadlock which require key to exit from inside
- Double-cylinder deadlocks if key required inside

Common pitfall: Courtyard

- External door opens to locked courtyard
- Gate requires key to open
- Result: entire egress path non-compliant

Security chains & secondary locks

- Not explicitly banned
- Legal if no “key, tool or special knowledge” required - most security chains would fall into this category, as a person inside can simply slide open to exit.

Best Practice Recommendations

- Only install locks allowing keyless egress
- Avoid locks disabling inside handles
- Use snibs, or single cylinder deadbolts
- Fit compliant security screen doors
- Ensure keyless exit at all times
- Document and advise clients clearly

Client requests risky setup?

- Use disclaimers and educate
- Document that it was their request
- Warn of:
 - ⚠ Fire safety risk
 - ⚠ Potential insurance invalidation
 - ⚠ Potential breach of the law
- Use waiver if client insists on unsafe setup

Conclusion

- Prioritise life safety over possessions
- Offer compliant alternatives first
- Use Sound Counsel's *"Standard Terms and Conditions regarding External Door - Free Egress"*
- Keep records of advice & client instructions