

All these case laws are in the affidavit make it into a poster laminate it and put on your door your gate (and case laws work against them)

Castle Rules

An Englishman's home is his Castle and an assault on the Castle is a recognised Act of WAR. In a time of War then the casualties of War, are just that, the casualties of war. He that knowingly enters into an act of war knowingly or unknowingly has still entered into an act of war of his own volition. The occupants defending the Castle cannot be held culpable for any casualties of war even though these casualties of war should end up dead. This is recognised from the historic —traditions|| of this land. http://en.wikipedia.org/wiki/Castle_doctrine

A castle doctrine (also known as a castle law or a defence of habitation law) is a legal doctrine that designates a person's abode (or any legally-occupied place [e.g., a vehicle or workplace]) as a place in which that person has certain protections and immunities permitting him or her, in certain circumstances, to use force (up to and including deadly force) to defend themselves against an intruder, free from legal responsibility/prosecution for the consequences of the force used. Typically deadly force is considered justified, and a defence of justifiable homicide applicable, in cases "when the actor reasonably fears imminent peril of death or serious bodily harm to him or herself or another".

Any Crown Authority stops at the boundary of the property. To proceed beyond this point is a recognised Act of War.

Where no such legal agreement exists then the Bailiff who is only a Bailiff by title has no powers of entry, unless that authority can be presented in the form of a legal agreement: which must contain upon it two wet ink signatures, one of which must be yours.

So, a Bailiff has no power of entry without your consent to do so and an assault upon the castle is a recognised Act of war.

Vaughan v McKenzie [1969] 1 QB 557 if the debtor strikes the bailiff over the head with a full milk bottle after making a forced entry, the debtor is not guilty of assault because the bailiff was there illegally, likewise **R. v Tucker at Hove Trial Centre Crown Court**, December 2012 if the debtor gives the bailiff a good slap.

If a person strikes a trespasser who has refused to leave is not guilty of an offence: **Davis v Lisle [1936] 2 KB 434**

License to enter must be refused BEFORE the process of levy starts,

Kay v Hibbert [1977] Crim LR 226 or Matthews v Dwan [1949] NZLR 1037

Aha send a denial of implied right of access before the Bailiff comes in advance.

A bailiff rendered a trespasser is liable for penalties in tort and the entry may be in breach of Article 8 of the European Convention on Human Rights if entry is not made in accordance with the law, **Jokinen v Finland [2009] 37233/07**

A debtor can remove right of implied access by displaying a notice at the entrance. This was endorsed by Lord Justice Donaldson in the case of **Lambert v Roberts [1981] 72 Cr App R 223** - and placing such a notice is akin to a closed door but it also prevents a bailiff entering the garden or driveway, **Knox v Anderton [1983] Crim LR 115 or R. v Leroy Roberts [2003] EWCA Crim 2753**

Debtors can also remove implied right of access to property by telling him to leave:

Davis v Lisle [1936] 2 KB 434 similarly, **McArdle v Wallace [1964] 108 Sol Jo 483**

A person having been told to leave is now under a duty to withdraw from the property with all due reasonable speed and failure to do so he is not thereafter acting in the execution of his duty and becomes a trespasser with any subsequent levy made being invalid and attracts a liability under a claim for damages, **Morris v Beardmore [1980] 71 Cr App 256**.

Bailiffs cannot force their way into a private dwelling,

Grove v Eastern Gas [1952] 1 KB 77

Excessive force must be avoided,

Gregory v Hall [1799] 8 TR 299 or **Oakes v Wood [1837] 2 M&W 791**

A debtor can use an equal amount of force to resist a bailiff from gaining entry, **Weaver v Bush [1795] 8TR**, **Simpson v Morris [1813] 4 Taunt 821**, **Polkinhorne v Wright [1845] 8QB 197**. Another occupier of the premises or an employee may also take these steps: **Hall v Davis [1825] 2 C&P 33**. Also wrongful would be an attempt at forcible entry despite resistance, **Ingle v Bell [1836] 1 M&W 516**

Bailiffs cannot apply force to a door to gain entry, and if he does so he is not in the execution of his duty, **Broughton v Wilkerson [1880] 44 JP 781**

A Bailiff may not encourage a third party to allow the bailiff access to a property (ie workmen inside a house), access by this means renders the entry unlawful, **Nash v Lucas [1867] 2 QB 590**. The debtor's home and all buildings within the boundary of the premises are protected against forced entry, **Munroe & Munroe v Woodspring District Council [1979]**
Weston-Super-Mare County Court

Contrast: A bailiff may climb over a wall or a fence or walk across a garden or yard provided that no damage occurs, **Long v Clarke & another [1894] 1 QB 119**.

It is not contempt to assault a bailiff trying to climb over a locked gate after being refused entry, **Lewis v Owen [1893] The Times November 6 p.36b (QBD)**

If a bailiff enters by force, he is there unlawfully and you can treat him as a trespasser.

Curlewis v Laurie [1848] or **Vaughan v McKenzie [1969] 1 QB 557**.

A debtor cannot be sued if a person enters a property uninvited and injures himself because he had no legal right to enter, **Great Central Railway Co v Bates [1921] 3 KB 578**.

If a bailiff jams his boot into a debtors door to stop him closing, any levy that is subsequently made is not valid: **Rai & Rai v Birmingham City Council [1993]** or **Vaughan v McKenzie [1969] 1 QB 557** or **Broughton v Wilkerson [1880] 44 JP 781**

If a bailiff refuses to leave the property after being requested to do so or starts trying to force entry then he is causing a disturbance, **Howell v Jackson [1834] 6 C&P 723** - but it is unreasonable for a police officer to arrest the bailiff unless he makes a threat, **Bibby v Constable of Essex [2000] Court of Appeal April 2000**.

The very presence of the Bailiff or third part company who is engaged in a recognised Act of war is an assault on the castle and it is reasonable for the police officer to arrest the bailiff where there

is a recognised Act of War. If the police officer does not arrest the Bailiff on request, then the police officer is guilty by default of an offence against legislation which is the offence of Malfeasance in a public office. The police officer is also guilty by default