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BDW B 'CASE AUTHORITY'
BDW C 'The MATERIAL EVIDENCE of the FACTS'

BDW D 'The COMPANIES ACT 2006'

House of Ward
145 Slater Street
Warrington
[WA4 1DW]
26th Day of January 2015

Exhibit (D)

The Companies Act 2006

"44 Execution of documents.

26th Day of January 2015

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BDW F 'NOBODY GETS PAID'

BDW G 'An ENGLISHMAN's HOME is HIS CASTLE'

House of Ward
145 Slater Street
Warrington
[WA4 1DW]
13th Day of February 2015

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

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

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

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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 of an act of fraud as he is on duty and being paid for his inaction. The penalty under legislation for these offences are as follows. 25 years' incarceration for the offence of Malfeasance in a public office and 7 to 10 years' incarceration for the offence of fraud under current legislation for which the police officer is culpable.

Without ill will or vexation.

For and on behalf of the principal legal embodiment by the title of MR DAVID WARD
For and on behalf of the attorney General of the House of Ward
For and on behalf of: Baron David of the House of Ward
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