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## **Our house is still our castle**

The Scottish judge Lord Stott is mistaken in saying that English law has abandoned the principle that a person's home is his castle. The principle has a long ancestry. In the seventeenth century Coke said *domus sua cuique est tutissimum refugium* (home is the safest refuge). In the eighteenth century Blackstone devoted a chapter of his *Commentaries* to offences against the habitations of individuals, while Otis repelled the infamous writs of assistance with the cry 'A man's house is his castle; and whilst he is quiet, he is well guarded as a prince'.

In the nineteenth century Broom wrote that 'The house of every one is his castle, as well for his defence against injury and violence, as for his repose'. So it is in the twentieth century too. Only last year Lord Denning's successor said in *McLorie v Oxford* that this maxim is one of the few principles of law known to every citizen. The exceptions to it, he insisted, are still relatively few. Long may it remain so, for this is a mark of civilised life. We all need somewhere we can be safe and sheltered.<sup>1</sup>

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<sup>1</sup> *The Times*, 25 June 1983.