

Press release: Crackdown to stop rogue bailiffs making lives a misery

- Government moves to end bad practice for good
- Families and vulnerable people to be better protected from aggressive tactics
- Public urged to speak up about experiences and provide views on bailiff behaviour

Sweeping Government reforms in 2014 significantly curtailed bailiffs' powers, as well as improving transparency and ensuring those with outstanding debts knew their rights.

Having listened to concerns from charities, debt advice organisations and others, the Government has today launched a [Call for Evidence](#) to seek views on what more should be done to protect the public.

Justice Minister Lucy Frazer said:

The majority of bailiffs work within the law, but it is clear some are making lives a misery and ruining the industry's reputation.

My message to those individuals is clear – there is absolutely no excuse for aggressive tactics and such behaviour will not be tolerated.

We will not hesitate to take action, so we're asking the public to share their experiences to help rid our society of rogue bailiffs for good.

Vulnerable individuals, families, and other victims of unacceptable bailiff behaviour will be asked about tougher protections, including the option of an independent regulator.

The Call for Evidence will allow all those with an interest – including charities and other stakeholders – to speak out on the impact of earlier reforms and on how best to end underhand tactics.

In detail, the Government is seeking views on:

- Ensuring compliance with earlier curbs on bailiff powers;
- The recognition and treatment of vulnerable people when collecting debt;
- The complaints process;
- The current fee structure and how this is working to incentivise early

- payments; and
- Suitability of current bailiff regulation and the possibility of an independent regulator.

The collection of debt is necessary for both the economy and the justice system, and bailiffs must be able to carry out their job safely and effectively. But Ministers are clear they must act professionally and with respect. Where poor behaviour takes place, the Government will not hesitate to take action.

The Call for Evidence sits alongside wider government initiatives to support vulnerable debtors, for example the 'Breathing Space' scheme. It will run for 12 weeks, and responses will be analysed to inform next steps.

Notes to Editors

Debts which enforcement agents (formerly known as bailiffs) enforce include council tax arrears and unpaid debts owed to individuals and businesses.

In 2014 the government introduced reforms to strengthen protection from rogue enforcement agents, while at the same time making sure that debts could still be collected fairly.

The reforms centred on the implementation of Part 3 and Schedule 12 of the Tribunals, Courts and Enforcement Act 2007. The reforms provided legal protection by introducing a comprehensive code governing, amongst other things:

- when and how enforcement agents can enter somebody's premises;
- the safeguards to prevent the use of force against debtors;
- what goods they can and cannot seize and, if necessary, sell; and
- what fees they can charge.

The reforms also stopped enforcement agents entering homes when only children are present, and introduced mandatory training and a new certification process for enforcement agents.

Ministers pledged to review the impact of the reforms after one, three and if necessary five years. The Ministry of Justice conducted the first review in 2015, which it published in 2018, after extensive gathering of views from key stakeholders including creditors, the advice sector, other government agencies and enforcement agents.

The review found that, at the one-year point in 2015, the reforms were having many positive benefits. This included better awareness around debtor rights and how to complain, more clarity for debtors about the fees that can be charged, the processes that should be followed, and where to go for advice. It was also reported, however, that debt advisors and debtors still perceived some enforcement agents to be acting aggressively and in some cases not acting within the regulations.