

Bailiffs, Powers and Regulation

Dr Steven Everson

ACEA



Association of Civil Enforcement Agencies

**7 out of 8 debt
advisors get it
wrong!**



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Bailiffs

- **County Court Bailiffs**
- **Private Bailiffs**
- **Certificated Bailiffs**

A bailiff is not a debt collector



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Bailiff Powers

- **Levying Distress**
- **Peaceful Entry**
- **Forced Entry**



Reform

- **Distress for Rent Rules**
- **Clarity, Simplicity and Transparency**



Citizens Advice – 5th March 2007

An analysis of 500 case reports ... found that:

Almost two thirds (64%⁰%) of bailiffs were guilty of harassment or intimidation, 40% misrepresented their powers of entry. A quarter threatened debtors with imprisonment and 42% charged excessive fees



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Citizens Advice – 5th March 2007

In over half the cases the debtor was vulnerable.



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Those that might be potentially vulnerable include:

The elderly

People with a disability

The seriously ill

The recently bereaved

Single parent families

Pregnant women

Unemployed people

Those that have obvious difficulty in understanding,
speaking or reading English



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In all these instances the bailiffs concerned were either breaking the law or in breach of their own industry code and nationally agreed standards of practice.



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**0.2% of warrants
result in a
complaint**



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The Present

- **Revised Rules and Constitution**
- **Code of Practice**
- **Tribunals Courts and Enforcement Act 2007**



The Future

- **Fee Structure**
- **Regulations**



Bailiff Regulation

- **Currently no regulatory body**
- **Complaints Procedure**
- **County Court**
- **Proposed Regulatory Body**



**Thank you for
your attention**



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