

# Bailiffs behaving badly: stories from the frontline

With costs soaring over the last 18 months, 1 in 4 people (27%) have fallen into debt.

**This has seen over 2 million people being contacted by bailiffs during the cost-of-living crisis.** But rather than help people get back on track, intimidating behaviour and huge fees charged by bailiffs have pushed many households further into debt and left some afraid to answer the door or even leave their homes.

**More than a third of people who have been contacted by bailiffs have experienced threatening or unfair behaviour which breaks the rules.** With no statutory regulation to hold bailiff firms to account, people who are struggling to make ends meet have little to no protection when bailiffs come to their door.

**citizens  
advice**

## Bailiffs are regularly breaking the rules

**1 in 3 people (39%)** who have been contacted by bailiffs during the cost of living crisis have experienced behaviours that broke the rules, including:

- threatening to break into their home (20%)
- forcing their way into their home (10%)
- dealing unsympathetically with disabilities or illnesses (19%)
- taking goods required for their medical care or work (9%)

More still experienced practices which go against the standards of 'professional conduct, discretion and fairness' bailiffs are meant to follow, including being refused an affordable payment offer or receiving an intimidating phone call or doorstep visit.

**2 in 3 people (64%)** experienced **harassment or intimidation** from bailiffs collecting debts.

## Bad behaviour from bailiffs has serious, long-term impacts on those in debt:



**£250 million in fees** have been added to people's debts during the last 18 months



**1 in 2** said that poor bailiff behaviour impacted their **long-term financial situation**



**3 in 4** said it took a toll on their **mental health**

### Gillian's\* story

Gillian has two young children and suffers from anxiety and depression. She's not able to work at the moment and receives Universal Credit.

As Gillian's costs went up last year, she fell behind on her council tax and her debt was passed on to bailiffs. When she contacted the bailiffs to arrange a repayment plan they were very intimidating on the phone. Gillian offered to pay back £30 a month - the maximum she could afford - but the bailiffs refused her repayment offer.

They also charged fees for this contact, escalating her original debt. She is now scared to leave the house in case she bumps into a bailiff leaving or coming back home.

***'I've had to go back on my medication as my anxiety and depression has worsened since speaking to the bailiff... I try not to leave my home too often just in case I bump into a bailiff.'***

*\*Name has been changed to protect the client's identity.*

## Bailiffs are pushing people who are struggling the most further into crisis

Some groups of people - like disabled people and those with children - are considered 'vulnerable' under bailiff rules of conduct. This means bailiffs should make extra adjustments for them, such as giving them more time to pay their debts, not entering their home if they are alone, or passing their debts back to the creditor.

Pre-existing inequalities mean that these households have often been hit harder by rising costs and are now more likely to have been contacted by bailiffs after falling behind on bills. Despite this, we have found that bailiffs often aren't taking vulnerability into account:

- 3 in 4 (78%) of the people contacted by bailiffs in the last 18 months would be classed as being in a vulnerable situation under bailiff rules.
- Disabled people are 3 times as likely to have been contacted by bailiffs than people who aren't disabled.



**3 in 4** (76%) debt advisers said they saw very **few or no cases where bailiffs passed debts back** to the creditor when vulnerabilities were identified<sup>1</sup>



Bailiffs forced **1 in 4 people** (23%) to **pay more than they could afford**, even after being made aware of personal circumstances making them more vulnerable

## Bailiffs ignoring these circumstances has a serious impact on people who already struggling



**1 in 3 households with children (31%)** were forced to stop paying other bills to pay the bailiff



**2 in 5 people who are disabled (44%)** became afraid to answer the door



**Nearly half (48%)** with a mental health condition **were left afraid to leave the house**

## Statutory regulation is needed now

A bailiff is someone with legal authorisation to collect certain debts on behalf of creditors. Legislation states that people should be treated fairly when debts are collected but there are currently no statutory powers to hold bailiff firms accountable for their actions.

So when bailiffs break the rules, it falls to people in debt to complain about their behaviour. But we found that most people don't understand what bailiffs can and can't do and **less than 1 in 3 people make a complaint.**

### What needs to happen?

Bailiffs have been behaving badly for years. The new Enforcement Conduct Board has been set up to provide independent oversight of bailiff firms that choose to be accredited. While this is welcome, a voluntary model means bailiff firms can simply opt out of regulation.

We need government to step up and **ensure all bailiff firms are subject to independent regulation through a statutory regulatory body.** As more people fall behind on bills, getting this right is more important now than ever.

<sup>1</sup> Online survey of debt advisers by the 'Taking Control' campaign carried out from 6 February to 10 March 2023