

Decades of inaction on bailiffs



1990

National Consumer Council publish *Private Bailiffs – their role in domestic debt collection* calls for abolition of bailiffs.

Poll tax introduced.

1991

The Law Commission concludes remedy of distress for rent should be abolished.

1992

Conservatives stay in power after General Election

1993

Council tax and child support introduced.

1996

Parking penalties introduced.

1997

Association of Civil Enforcement Agencies is set up and publishes *Model Code of Practice for the Management of Bailiffs Employed by Local Authorities*. Voluntary code compliance not monitored.

1998

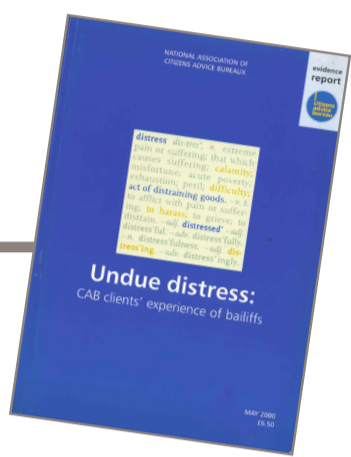
Human Rights Act is passed.

1999

Government makes changes to certification procedure for private bailiffs.

2000

Citizens Advice publishes *Undue distress* report, calls for regulation and abolition of distress laws.



2001

Government passes the Private Security Industry Act, creates the Security Industry Authority (SIA) to regulate security guards, door supervisors, etc. Bailiffs are not included.

2002

Government publishes *National Standards for Enforcement Agents* – voluntary code, bailiffs' compliance not monitored.

2003

2004

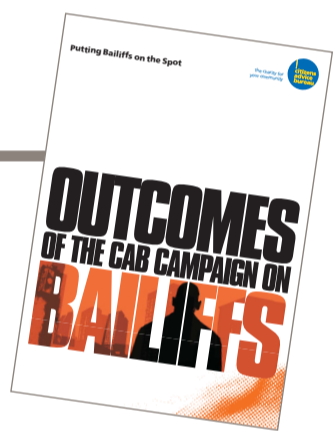
The Domestic Violence, Crime and Victims Act changes the law allowing bailiffs to force entry to collect unpaid magistrates' courts fines. Increases confusion about different enforcement powers of bailiffs.

2005

Labour stays in power after General Election

2006

Citizens Advice launches *Putting bailiffs on the spot* campaign to influence the TCE Bill. This led to the Government consultation on 'Regulation of Enforcement Agents'.



2007

The Tribunal, Courts and Enforcement Act is passed. Part 3 of the TCE Act which concerns bailiffs is yet to be implemented.

Citizens Advice pushes Government to announce that it will not implement bailiffs rights to force entry until there is a regulator.

2008

2009

78 year old Andy Miller dies of a heart attack when being frogmarched to a cashpoint by bailiffs for £60 speeding fine. Justice Minister Jack Straw orders inquiry into Mr Miller's death.

Citizens Advice and Local Government Association (LGA) publish *Collection of council tax arrears good practice protocol*, supported by Advice UK and the Welsh LGA.

2010

Coalition Government is formed following General Election

2011

The SIA is abolished as a public body so cannot become the enforcement industry regulator.

2012

Government updates the *National Standards for Enforcement Agents* but code remains voluntary.

Citizens Advice responds to Government consultation and calls for statutory regulation of bailiff industry.

Campaigns for regulation of bailiff industry to be included in the Crime and Courts Bill.

2013

Citizens Advice voices concerns that the Government's proposals fail to provide any additional protection for vulnerable debtors, and continues to campaign for statutory regulation and oversight of the bailiff industry and an independent complaints process.

Localisation of council tax benefit comes into force.

Lord Chancellor's Department (1992) publish *A Review of the Organisation & Management of Civil Enforcement Agents: Consultation Paper*. No further action taken.

Government commissions independent review of bailiff law from Prof Jack Beatson.

Government consults on regulation of the Private Security Industry, suggests new regulator could also cover bailiffs.

Independent review of bailiff law published. Concludes that some bailiff powers are incompatible with the Human Rights Act, calls for a single law around bailiff powers, independent regulation and abolition of distress for rent.

Government responds to *Independent Review* with Green Paper, *Towards Effective Enforcement*. Contains most of Beatson's recommendations, including independent regulation and single law around bailiff powers.

Government white paper *Effective Enforcement* pledges to introduce independent regulation of bailiffs and suggests SIA as preferred regulator.

Draft Tribunal, Courts and Enforcement (TCE) Bill is published. Proposes a new system of certification of bailiffs, but doesn't include independent regulation, which Government says is a long term goal.

Government launches *'Regulation of Enforcement Agents'* Consultation Paper which proposes the SIA will become licensing body for bailiffs, rather than regulator.

Gordon Brown succeeds as PM and announces review of all police and bailiff powers to enter domestic premises without permission. Review does not take place.

Government confirms the SIA will become licensing body for bailiffs but it will not deal with complaints. No proposal for a complaints system made.

Consumer white paper says Government will consult on a package of measures to address concerns about bailiff industry and the Ministry of Justice wouldn't now implement measures to extend powers of entry and use force by bailiffs.

The Coalition Agreement contains commitment to "provide more protection against aggressive bailiffs".

Department for Business, Innovation and Skills consultation on personal debt and personal insolvency includes questions about bailiffs.

Government launches consultation on reforming bailiff action.

The Crime and Courts Bill includes provisions to extend the outsourcing of enforcement of Magistrates Court fines to private companies, which could include bailiff firms.

Government mid term review promises to "strengthen protection from rogue bailiffs who use unsound, unsafe or unfair methods, while at the same time making sure that debts can still be collected fairly".

Government publishes response to *Transforming Bailiff Action* consultation, proposing the full implementation of part 3 of the 2007 TCE Act, the introduction of a new fee structure and new competences that must be demonstrated to become a bailiff.

Citizens Advice publishes *CAB clients' experiences of bailiffs* report (response to *The organisation and management of civil enforcement agents*).

Charging into the Tax and The Cost of Living reports also published by CAB.

Labour wins General Election

Labour stays in power after General Election

Private bailiff problems reported by Bureaux

11,050 (2007-8)

13,881 (2008-9)

19,196 (2009-10)

22,881 (2010-11)

24,698 (2011-12)