



Ministry
of Justice

Lucy Frazer QC MP
Parliamentary Under-Secretary of
State for Justice

Bob Neill MP
Chairman Justice Committee
House of Commons
London
SW1A 0PW

23 November 2018

Dear Bob

**CALL FOR EVIDENCE
IMPLEMENTATION OF THE 2014 ENFORCEMENT AGENT REFORMS INTRODUCED
BY THE TRIBUNALS, COURTS AND ENFORCEMENT ACT 2007**

I am writing to let you know that the Ministry of Justice intends to launch a call for evidence on the implementation of the 2014 enforcement agent reforms on 25 November 2018. The department has tabled Written Ministerial Statements to inform Parliament about the call for evidence. Given the interest that you have expressed in this area, I wanted to let you know in advance about this announcement.

The 2014 reforms aimed to provide protection to debtors from the aggressive pursuit of their debt from enforcement agents (formerly known as bailiffs), whilst balancing this against the need for effective enforcement. Information gathered from the call for evidence will feed into our second post-implementation review of those reforms.

As my noble friend, Lord Keen, set out in his letter to you of 26 October 2018, the call will allow those who have had experience of enforcement agents to share their experiences. We also want to hear from those who are working with the regulations, such as enforcement agents and their trade organisations, debt advice organisation, creditors and the judiciary.

The paper asks questions about the impact of the regulations concerning: safeguards to protect vulnerable debtors; the introduction of a fixed fee structure; the training and certification process for civil enforcement agents; the requirement for enforcement agents to send standardised letters to debtors; and the regulations about the recovery of commercial rent arrears recovery.

A number of concerns have been raised about difficulties that debtors have had in making complaints about enforcement agents. The paper asks questions about the

volume, nature and handling of complaints. We are also seeking views about whether the regulations around complaints and sanctions need to be improved.

As Lord Keen set out in his letter to you, we have also been considering the debate about whether there is a need for an independent regulator. We want to complete our review of the implementation of the 2014 reforms before making a decision about whether further reform is necessary. We will use the call for evidence to gather views from all interested parties about whether enforcement agents should be subject to an independent regulator. The paper also asks whether there are any other steps that could be taken to improve the regulation of enforcement agents.

The call for evidence will run for 12 weeks. A copy of the call for evidence will be placed in the libraries of the House and will be available online at www.gov.uk.

Following the call for evidence, any prospective policy options will be presented in a future public consultation.

I am very happy to make my officials available to brief you and interested Members about this topic.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Lucy Frazer', written in a cursive style.

LUCY FRAZER QC MP