

# CRIME AND COURTS ACT 2013

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## EXPLANATORY NOTES

### BACKGROUND

#### Part 2: Courts and Justice

#### *Section 25: Enforcement by taking control of goods*

37. In February 2012 the Ministry of Justice set out its proposals for transforming the enforcement industry and providing more protection against aggressive bailiffs in the consultation paper, *Transforming Bailiff Action*.<sup>1</sup> The Government's response to *Transforming Bailiff Action* was published in January 2013<sup>2</sup> and sets out a series of proposals to strengthen protections from rogue bailiffs who use unsound, unsafe or unfair methods, while at the same time making sure that debts can still be collected fairly. These measures included the implementation of Part 3 of the Tribunals, Courts and Enforcement Act 2007 (the "2007 Act").
38. Part 3 of the 2007 Act makes a number of reforms to bailiff law. The changes would help debtors, creditors and bailiffs understand what their rights and responsibilities are when debts are enforced. The provisions would also codify the existing law and introduce a comprehensive code governing amongst other things: when and how a bailiff can enter somebody's premises; what goods they can and cannot seize and sell; and what costs they can charge.
39. [Section 25](#) makes amendments of Part 3 of the 2007 Act relating to the use of force by bailiffs to enter commercial and domestic premises and the definition of abandonment.

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<sup>1</sup> <https://consult.justice.gov.uk/digital-communications/transforming-bailiff-action>

<sup>2</sup> <https://consult.justice.gov.uk/digital-communications/transforming-bailiff-action>