

You must include the following information with your response: Your response is (anonymous):

First name: [REDACTED]

Last name: [REDACTED]

Location: [REDACTED]

Role: [REDACTED]

Job title: [REDACTED]

Organisation: [REDACTED]

Are you responding on behalf of your organisation? [REDACTED]

Your email address: [REDACTED]

Your experience and awareness of enforcement

- 1) Which enforcement methods do you have experience of, if any? **Mortgage Possession Enforcement, Charging Order and Attachment of Earnings Order.**
- 2) Are there any barriers you have experienced in seeking to enforce or satisfy a judgment and, if so, what were they? **N/A**
- 3) Which of the attached enforcement mechanisms do you find to be most effective in obtaining a resolution, and why? **Charging Order and Attachment of Earnings Order for shortfall debt recovery, as it enables the recovery of the outstanding debt more effectively for customers who do not engage in the repayment process from the lender.**
- 4) Which of the attached enforcement mechanisms do you find to be least effective in obtaining a resolution, and why? **N/A**
- 5) Do you consider any of the attached enforcement mechanisms should be promoted as being more effective than others? **N/A**
- 6) Are there any enforcement mechanisms that you consider should be amended or varied to make them more appropriate for modern litigation from the perspective of either the creditor or the debtor? **Ability to provide evidence electronically from the debtors view point such as up to date income and expenditure.**
- 7) Do you consider that there should be further measures attached to any of the current enforcement mechanisms to ensure greater fairness and/or protections for debtors?
- 8) Do you have experience of the court enforcement mechanisms interacting with debt collection standards and practices outside the court system?

- 9) Do you consider that the court enforcement mechanisms need to take into account debt collection standards and practices outside the court system and, if so, in what circumstances and in what ways?
- 10) If court enforcement is to take into account debt collection outside the court system, what practical steps do you consider should be undertaken?

Support for debtors

- 27) Are you aware of any support or information provided to debtors following a judgment? **No**
- 28) If so, what is that support or information? **N/A**
- 29) What, if any, (additional) information and support do you consider should be made available to debtors and at what stage? **Perhaps guidance on what the court action means for them in terms of CCJs their impact, impacts on their employer.**
- 30) Are there any particularly vulnerable debtors who you consider need additional support. If so, how are those vulnerable debtors identified and what support do you consider is required?
Vulnerability is identified by the creditor through conversations or correspondence. This is then also provided to the instructed solicitor
- 31) What do you consider the most efficient and effective ways of disseminating information to debtors? i) through court documentation at the commencement of the action;
ii) through court documentation at time of judgment;
iii) through bailiffs or enforcement officers;
iv) all the above? - **All of the above.**
v) any further means of communication?
- 32) If the defendant engages with the court process, should the court be proactive in providing a telephone advice service, or other access to free advice through third parties, in order to potentially facilitate early resolution? **Yes as they may be more inclined to use this service.**

Civil Justice Council Enforcement Working Group Call for Evidence 11 July - 16 September 2024

Any proposed improvements

33) Do you consider there should be any changes to the system of enforcing judgments, or should the status quo be maintained?

34) If you consider there should be changes, what changes do you feel should be made to make enforcement more accessible, fair and efficient?

35) Whether you consider there should be changes or not, what, if any, additional safeguards and advice should be given to debtors?

36) Whether you consider there should be changes or not, what, if any, additional information should be given to creditors about methods of enforcement?

37) As the majority of debt judgments are judgments in default, what further steps do you consider could and/or should be taken to encourage defaulters (potential judgment debtors) to engage in the court process at an early, or any, stage?

38) Are there any other areas of enforcement that you feel could be improved and in what way and by which method(s)?

General

39) Please set out any additional comments you would like to make about the current system of enforcing money judgments in court. These comments can expand upon the questions raised above or raise new issues.

40) Please set out any current difficulties that you identify with the system of enforcement and outline any potential improvements you consider appropriate for either the creditor or the debtor.