

DEPARTMENT FOR CONSTITUTIONAL AFFAIRS

RECORD MANAGEMENT SERVICE

Clive House 70 Petty France London SW1H 9HD

MAGISTRATES' COURTS

RECORD RETENTION SCHEDULE

ORIGINAL VERSION: JULY 1999

LATEST REVISION: AUGUST 2004

NO	DESCRIPTION		ACTION
1.	All papers before 1888		Permanent preservation. To be transferred to the local record office.
2.	Court Registers including Juvenile/Youth Courts and those which are kept separately, but are deemed to form part of the Register such as those in respect of Road Traffic matters.		Permanent preservation. To be transferred to the local record office no later than thirty years after their creation by virtue of Section 3(4) of the Public Records Act 1958. Subject to agreement between individual magistrates' courts and their local record office, these registers may be microfilmed to the standards described in the guidance notes not earlier than two years after the date of the last entry, following which the original paper documents should then be appropriately destroyed.
3.	All Licensing Registers (nb some licensing functions pass to local authorities with effect from 2005)		Permanent preservation. To be transferred to the local record office no later than thirty years after their creation by virtue of Section 3(4) of the Public Records Act 1958.
4.	Licensing Files including those in respect of licensing permits and occasional licenses. (nb some licensing functions pass to local authorities with effect from 2005)		Permanent preservation. To be transferred to the local record office no later than thirty years after their creation of virtue of Section 3(4) of the Public Records Act 1958. An exception is where either licensed premises cease to be licensed or a permit holder ceases to hold one, in which case destroy 6 years after, subject to the local record office not seeking to retain them by virtue of Section 3(6) of

			the Public Records Act 1958.
5.	Licensing Occasional Permissions (nb some licensing functions pass to local authorities with effect from 2005)		Destroy 3 years after the expiry of the last permission granted to an organisation or branch.
6.	Pardons		Permanent preservation. To be transferred to the local record office no later than thirty years after their creation by virtue of Section 3(4) of the Public Records Act 1958.
7.	Notes of Evidence in summary jurisdiction cases, with exhibits and other related documents.		Kept in case files. Destroy these after 3 years subject to the local record office not seeking to retain them by virtue of Section 3(6) of the Public Records Act 1958.
8.	Committals to Crown Court.		Destroy 3 years after date of committal.
9.	Appeals to Crown Court Appeals to High Court.		Destroy 3 years after result of appeal.
10.	Committals for sentence to Crown Court.		Destroy 3 years after date of committal.
11.	Summonses including information and complaints (also including community charge documentation).		Destroy after 3 years, unless adjourned indefinitely, subject to the local record office not seeking to retain them by virtue of Section 3(6) of the Public Records Act 1958.
12.	Information for Warrants / Warrants for arrest / Search Warrants either returned to the court following execution OR unexecuted at the expiry of the time provided for execution.		Destroy after 3 years.
13.	Action Plan Order Anti-social Behaviour Order Attendance Centre Order Community Punishment Order [formerly Community Service Order] Community Punishment and Rehabilitation Order [formerly Combination Order] Community Rehabilitation Order (formerly Probation Order) Conditional Discharges Curfew Order Derogatory Assertion Order Drug Abstinence Order Drug Treatment and Testing Order Forfeiture and Destruction Order Licensed Premises Exclusion Order Money Payment Supervision Order		Destroy 3 years after the date the Order was made or 12 months after the Order ceases to be operative, whichever is the latter.

	Parenting Order Referral Order Removal of Disqualification Order Reparation Order Restraining Order Sex Offenders Order Supervision Order and any other such Order not specifically named herein		
14.	Non Payment Warrants and Warrants of Commitment either returned to the court following execution OR returned unexecuted at the expiry of the time provided for execution.		Destroy 12 months after execution or return, subject to the local record office not seeking to retain them by virtue of Section 3(6) of the Public Records Act 1958.
15.	Bail Registers.		Permanent preservation of any register kept separate from the Court Register to record the decision about bail or the reasons for any such decision. To be transferred to the local record office no later than thirty years after their creation by virtue of Section 3(4) of the Public Records Act 1958. Where additionally decisions in respect of bail are kept with the case files, destroy those copies as at 7 (ie after 3 years, subject to the proviso).
16.	Legal Aid / Representation Order documentation		In case files destroy as at 7 (ie after 3 years, subject to the proviso).
17.	Hospital and Deportation Order.		In case files destroy as at 7 (ie after 3 years, subject to the proviso).
18.	Crown Court Order.		Destroy after 3 years.
19.	Recognisances.		In case files destroy as at 7 (ie after 3 years, subject to the proviso).
20.	Declaration of Parentage Orders and where still appropriate, Affiliation Orders (the latter obsolete after 1989).		Destroy when child reaches 25 years of age, subject to the local record office not seeking to retain them by virtue of Section 3(6) of the Public Records Act 1958.
21.	Guardianship papers (Obsolete after 1989).		Destroy when child reaches 25 years of age, subject to the local record office not seeking to retain them by virtue of Section 3(6) of the Public Records Act 1958.
22.	Children Act cases (and by analogy, where still extant, Care Order cases).		Destroy when child reaches 25 years of age, subject to the local record office not seeking to retain them by virtue of Section 3(6) of the Public Records Act 1958.
23.	Adoption cases (including minute books).		Destroy 75 years from 18 th birthday of the adoptee, subject to the local

			record office not seeking to retain them by virtue of Section 3(6) of the Public Records Act 1958.
24.	Matrimonial cases/orders.		Destroy 25 years after cessation of order, subject to the local record office not seeking to retain them by virtue of Section 3(6) of the Public Records Act 1958.
25.	List of Transactions (Maintenance)		Keep for duration of Order and destroy 3 years after cessation.
26.	Original Orders and Variations (Maintenance) including International Reciprocal Maintenance and Enforcement and Child Support Agency Orders.		Keep for duration of Order then destroy 3 years after cessation
27.	Write-Off List (Maintenance)		Destroy after 6 years.
28.	Transfer Register (Maintenance)		Retain for 25 years then local record office to assess retention by virtue of Section 3(6) of the Public Records Act 1958.
29.	Variations List (Maintenance)		Destroy after 3 years.
30.	Amendments List (Maintenance)		Destroy after 3 years.
31.	Court List.		Destroy at user's discretion.
32.	Case Entry Check List.		Destroy at user's discretion.
33.	Defendant Index.		Destroy at user's discretion.
34.	List Paid Fines.		Destroy after 6 years.
35.	Transfer Fine Orders.		Destroy after 6 years.
36.	Vehicle Fixed Penalty accounting records.		Destroy after 6 years.
37.	Write-Off List.		Destroy after 6 years.
38.	Fine Default Court Summons.		Destroy after 6 years.
39.	Amendments List.		Destroy after 6 years.
40.	Suspense List.		Destroy after 6 years.
41.	Cancelled Cheques: ie those returned to and retained by the court and replacement cheques issued to the same or a new payee		Destroy after 6 years
42.	Dishonoured Cheques List.		Destroy after 6 years.
43.	Cash List (Reports of payments in)		Destroy after 6 years.
44.	Till Receipts.		Where kept separately destroy after 6 years.
45.	Paying-in Books.		Destroy after 6 years.
46.	Bank Statements.		Destroy after 6 years.
47.	Presented Cheques List.		Destroy after 6 years.
48.	Cheques Printed List.		Destroy after 6 years.
49.	Unpresented Cheques List.		Destroy after 6 years.
50.	Bank List.		Destroy after 6 years.
51.	Records of payments by credit card		Destroy after 6 years
52.	Daily balance documents		Destroy after 6 years
53.	Printout from the credit Card payment terminal		Destroy after 6 years
54.	Cumulative Accounts		Destroy after 6 years those used for

	Summary/Movements/Control Totals		end of day/weekly/monthly/ quarterly balancing procedures
55	DAR (Debt Analysis Return) certificate of Assurance		Destroy after 6 years
56.	Payments to Witness List.		Destroy after 6 years.
57	List of Payments to Creditors.		Destroy after 6 years.
58	Warrants List/Register.		Destroy after 6 years.
59	Post Opening Record.		Destroy after 6 years.
60	Recorded Delivery Record.		Destroy after 6 years.

NB In respect to those items which are financial in nature, it is a requirement that the supporting documentation is retained for the same length of period as the item itself.

This schedule was drawn up (and subsequently amended) by the DCA Departmental Record Officer in consultation with various interested parties and approved by the National Archives. Please retain for future reference.

Any enquiries should be directed to the DCA Departmental Record Officer.
