



# Medicolegal Record Retention Policy (Expert Witness)

**D Machin Ltd**

**Effective Date:** 01.01.2026

**Review Date:** 01.01.2030

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## 1. Purpose

This policy sets out how I retain, store, and dispose of records created in the course of my work as an expert witness in legal proceedings. It ensures compliance with data protection laws (including UK GDPR and the Data Protection Act 2018), relevant civil procedure rules, and medico-legal best practices.

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## 2. Scope

This policy applies to all documents and records generated or received as part of expert witness services, including:

- Instructions from solicitors
- Clinical records received
- Examination notes
- Draft and final reports
- Correspondence
- References and working notes
- Court documents

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## 3. Retention Periods

Type of Record	Retention Period	Justification
Expert reports (draft & final)	15 years	To allow for appeals, re-opened cases, or professional scrutiny
Solicitor or court instructions	15 years	As above
Clinical records received for review	15 years	Often provided under disclosure obligations
Examination notes	15 years	Required in case of challenge or follow-up
Emails and correspondence	7–15 years	Depending on case complexity and risk
Court attendance records	15 years	For future reference or evidence
Financial records (invoices, payments)	6 years	HMRC requirement

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#### **4. Storage and Security**

- Records are stored in [secure digital storage / encrypted drive / locked filing cabinet].
  - Digital records are password protected and encrypted.
  - Access is restricted to the expert and authorised support staff (if any).
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#### **5. Destruction**

- Records are reviewed annually for eligible destruction.
  - Physical records are shredded using a cross-cut shredder or disposed of via a certified confidential waste service.
  - Digital records are permanently deleted using secure deletion software.
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#### **6. Subject Access Requests (SARs)**

- Compliant with UK GDPR: Data subjects may request access to personal data held. Requests are responded to within one month unless exemptions apply (e.g. legal privilege).
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#### **7. Review and Update**

- This policy is reviewed annually or following changes in legislation, regulation, or professional guidance.
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**Signed:** \_\_\_\_\_ D Machin \_\_\_\_\_

**Name:** [David Machin]

**Date:** [101.01.2026]