



HM Courts & Tribunals Service

Courts and Tribunals Development Directorate Legal Operations Team

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Mr Smith
request-597865-fca22d8a@whatdotheyknow.com

Our ref: SEJ/FOI/190817008-1

11th September 2019

Dear Mr Smith,

Freedom of Information Act request 190817008

Thank you for your e-mail in which you asked.

Under the Freedom of Information Act can you please provide if all court documents/orders issued from a court must have a court date stamp that includes the name of the court on the stamp and the date within it, in addition to the court seal that must also contain the name of the court that issued... and sealed the instrument. Please list all courts required to have a date stamp and when they must be used such as when accepting court documents and if they are also required to be applied when issuing court orders that must also be sealed by the court staff with the seal of the court. Also if any court uses a single court seal that also contains the date. If courts, both civil or criminal are not required to have a date stamp upon the filing of court documents, please list those courts as well and provide the reason why a court date stamp and a court seal of the court is not a requirement and provide where this information can be found.

The Freedom of Information Act 2000 (the Act) gives individuals and organisations the right of access to all types of recorded information held, at the time the request is received, by public authorities such as the Ministry of Justice (MoJ). Section 84 of the Act states that in order for a request for information to be handled as a Freedom of Information (FOI) request, it must be for recorded information. For example, a FOI request would be for recorded statistics, but not legal advice.

Your question however is not asking for recorded information, but for advice on the law and an explanation as to why the law is as it is. I have therefore assessed that your request does not fall within the Act.

Outside the Act and as general correspondence, I can answer your questions. I am assuming that by "must" you mean a legal requirement.

- Can you please provide if all court documents/orders issued from a court must have a court date stamp that includes the name of the court on the stamp and the date within it, in addition to the court seal that must also contain the name of the court that issued. and sealed the instrument.

Answer: No they do not.

- Please list all courts required to have a date stamp and when they must be used such as when accepting court documents and if they are also required to be applied when issuing court orders that must also be sealed by the court staff with the seal of the court.

Answer None.

- Also if any court uses a single court seal that also contains the date.

Answer. No.

- If courts, both civil or criminal are not required to have a date stamp upon the filing of court documents, please list those courts as well

Answer All of them.

- Provide the reason why a court date stamp and a court seal of the court is not a requirement

Answer: because no Rule of Court requires it.

- And provide where this information can be found.

Answer: you can find the Rules of Court for here:

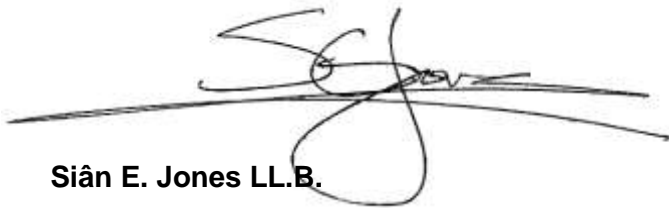
<https://www.justice.gov.uk/courts/procedure-rules> . Note that the Magistrates' Courts Rules have been extensively amended since 1981; you can find the amendments by searching in the same website for "magistrates' courts rules amendment" with the Type set as "UK Statutory Instruments". However, as a shortcut I can tell you that you will not find any reference to seals in any Rules relating to magistrates' courts.

You can also find abundant information on the proper use and format of seals in those courts which use them (i.e. the High Court and County Court) in this earlier reply to What Do They Know:

<https://www.whatdotheyknow.com/request/219979/response/556415/attach/html/2/FOI%2092491%20Hinks.doc.html>.

Please note that as this is not a reply under the Freedom of Information Act, you have no right to a review under the Act.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Siân E. Jones', written over a horizontal line.

Siân E. Jones LL.B.

Head of Legal and Professional Services