

Completing The Disclosure Review Document

A Technical And Legal Guide

The Disclosure Review Document is a crucial component of UK e-disclosure, requiring input from the client, e-discovery specialist, and forensic examiner. This guide provides a field-by-field breakdown, addresses common mistakes, and offers practical advice for its joint completion and negotiation.

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THE DISCLOSURE REVIEW DOCUMENT · A GUIDE FOR UK LAWYERS Completing the Disclosure Review Document A Technical and Legal Guide COMPUTER FORENSICS LAB DISCOVERY. UK

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Questions and answers

Who actually completes the DRD?

The lawyer drafts and owns it, but its content is learned: the client supplies the facts about systems, people and retention (confirmed in writing), the e Discovery specialist supplies the measured volumes, tested terms, methods and costs, and the forensic examiner supplies the statements about deleted, irretrievable and special sources. The document is then completed jointly with the other side into one filed version. A DRD completed by any one of those actors alone is deficient in a way opponents can usually detect.

How much detail does Section 2 really need?

Proportionate detail, but evidenced detail: ranges with bases rather than false precision or empty adjectives. A heavy Commercial Court matter warrants an assessment report behind every number; a Less Complex Claim warrants the short form completed from platform reports and a sensible protocol. What no case warrants is an entry nobody could stand behind if asked "how do you know?"

What if we genuinely do not know a figure yet?

Say what is known, state the measurement in progress and the date it will land, and update: "in-place reports indicate [range]; an indexed assessment of the core sources completes on [date] and figures will be exchanged then" is a compliant, credible entry. What is not compliant is a guess dressed as a fact, or a blank held open indefinitely while the timetable runs.

The other side's Section 2 is vague. What do we do?

Request the underlying information in writing (volumes and bases, tested terms, the facts behind irretrievable entries), propose exchange of hit reports, and if vagueness persists put the correspondence before the court: at a Disclosure Guidance Hearing or the CMC, a party with evidence facing a party with adjectives usually gets both its scheme and its costs. The worked example in §11 is the standard shape.

Can the DRD be changed after the CMC?

Yes: it is a working document, and the regime provides for varying disclosure orders as the case develops. Changes are made openly (versioned, reasoned, promptly proposed), typically where pleadings amend, staged tranches trigger, or new sources surface. What damages parties is not change but silent divergence: an exercise that drifted from the filed document without anyone updating it.

Does the DRD bind us at the certificate stage?

Practically, yes: the certificate describes the search actually performed, and the DRD (as ordered and as varied) is the benchmark it is read against. This is the deep reason for completing it from evidence: entries you measured, you can perform and certify; entries you imagined, you must either quietly miss (a certificate problem) or expensively honour (a budget problem). cflab. u k · e-disc ove r y. u k ©2026 Computer Forensics Lab Ltd ·cflab.uk ·e-discovery.uk ·info@cflab.uk ·+44 (0)20 7164 6915 Page 18 of 21