

To lose a child (or children) is the worst loss of all. Nothing can compare to the heartbreak of a bereaved parent, yet as a mother or father of a child whose death was unexpected or in particular circumstances, we not only have to navigate our grief, but we may also have to cope with an inquest.

This is Part 1 of 3 TCF factsheets on inquests in England and Wales. It gives a brief overview of the inquest process and who is involved. See Part 2 for detailed advice on preparation, including getting legal and other support. See Part 3 for an explanation of what happens on the day.

Why is there going to be an inquest?

- An inquest is a legal investigation held in a coroner's court to establish the circumstances surrounding a person's death, including how, when and where the death occurred. However, it is important to understand that inquests don't look into who is responsible or to blame.
- An inquest is held if a death was sudden, violent or unnatural; occurred in prison or police custody; or when the cause of death is unknown even after a post-mortem.

Who's in charge?

- The coroner, who is usually a lawyer or a doctor, appointed by the local authority.
- The coroner's office may have other staff such as coroner's officers, a clerk or secretary.

What happens when a decision is made to hold an inquest?

- Usually the coroner opens the inquest soon after the person died.
- This allows the death to be recorded, and the coroner to give authorisation for a burial or cremation to take place as soon as possible. (This can sometimes be delayed if a post-mortem has not been completed.)
- The deceased's next of kin or personal representative should be informed. If your child was a minor or an adult without a partner, this means that you as the parent or adult sibling will be informed. You should be contacted within a day or two of your child's death.
- A temporary death certificate should be issued at this point. This is often referred to as the 'interim death certificate.' This will enable you to start processes such as closing bank accounts.
- After the inquest has been opened, it may be adjourned (postponed) until after any other investigations have been completed. It can take anything from a few months to several years for the actual inquest to take place.
- The official **Guide to Coroner's Services** explains the standards of service you can expect before an inquest, such as how often they should contact you. You may be offered a printed copy by the Coroner's Office or you can download it here: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/363879/guide-to-coroner-service.pdf

What can I expect from an inquest?

The purpose of an inquest, the way it is run, and the limits of what it sets out to accomplish, are all set down in law. We may find ourselves frustrated at the end if we do not realise:

- **Not all of our questions may be answered.** It is the coroner who controls the proceedings and decides the extent or limit of the evidence to be considered.
- **The inquest is not going to blame anybody.** We may feel that a person or organisation was to blame for our child's death, but the inquest may not examine these issues. An inquest is entirely fact-finding, establishing the identity of the deceased, where, when and how (medically) they died. The inquest is not held to establish any criminal or civil liability, it cannot blame individuals for the death, and the coroner and/or the jury must not name anyone in delivering their conclusion.

What will happen at the inquest?

You can learn more about what happens at the inquest itself and who is involved in **FAQs on Inquests in England and Wales: Part 3**.

How can I prepare for my child's inquest?

From the opening of the initial inquest to the actual inquest can be months and sometimes years. It is natural to feel apprehensive during this long waiting period, but there are a few things we can do:

- Understanding the process of the inquest is vital. The detailed guide from the Coroners Service (mentioned above) is lengthy but worthwhile studying.

Every inquest is different, and it can be very useful to get independent legal advice. TCF has several solicitors who will give initial advice for free. Send your name and number by text to **0783663080889** or email to sefton.kwasnik@bpslaw.co.uk and he will call you back, or write to Andrew Miller QC (TCF trustee and bereaved parent): andrewmillertcf@gmail.com

- You are entitled to ask the coroner to supply you with advance information of the evidence to be relied on at the inquest. This is known as 'disclosure'. Upon receipt of this information you can then try to prepare questions and so on, for the hearing.

There is more about solicitors and other details on how you can prepare in **FAQs on Inquests in England and Wales: Part 2**.

What could be the outcome?

- The coroner makes a 'finding of fact' or conclusion as to the cause of death.
- This 'finding of fact' is usually in a 'short form' and could be death from: natural causes, accidental death, misadventure, suicide, neglect, unlawful kill, an open conclusion, or something else.
- The coroner can also give a 'narrative conclusion', setting out the circumstances of the death in a more detailed way.
- If we believe that our child's death was caused by the actions – or lack of actions – of an individual, an organisation or a service, the outcome of the inquest can be frustrating. An inquest has no defence and prosecution. Facts are examined, but the goal is to establish the cause of death, not to apportion blame or liability.
- However, the coroner can use information discovered during the investigation to assist in the prevention of other deaths where possible. He/she may make recommendations, for instance, installation of a traffic light, or specific improvements in the running of an NHS service, and so on. This is called Regulation 28 and is also referred to as a 'Preventing Future Deaths' (PFD) report.

<http://www.legislation.gov.uk/ukxi/2013/1629/part/7/made>

- For more on inquest conclusions, see: <http://www.burnetts.co.uk/publications/blogs/inquest-verdicts-explained>

What happens after the inquest?

- The final death certificate will be issued after the conclusion of the inquest.

Coping with the inquest process

The fact that our child's death requires an inquest usually means that his or her death was in difficult circumstances. Having a network of support can be vital during this time. TCF has a helpline you can call (see the number below). Some parents find that visiting a bereavement counsellor can be helpful. In times of crisis, Samaritans are always there to listen on 116 123. You may also like to read our TCF leaflet on *Prolonged and Intense Grief*.

An inquest might give us more information about our child's death. We may understand the circumstances better, although we may still have unanswered questions. But no matter the process and outcome of the inquest, the sad reality is that nothing will bring our child back to us. We live with broken hearts, yet hearts full of love.

This Factsheet was produced by The Compassionate Friends, a nationwide organisation of bereaved parents and their families offering support after a child dies.

TCF publishes a range of leaflets on a variety of topics. Find out more by contacting us:

- General Enquiries (for local contacts and groups): **0345 120 3785**
- Website and online forum: www.tcf.org.uk ■ TCF UK Helpline: **0345 123 2304**

