



# Inquests

Depending on the accident circumstances, the police/Criminal Prosecution Service will consider prosecuting the other party for offences relating to the accident.

### What is an inquest?

The inquest deals with how the deceased died rather than apportioning blame. Its purpose is to find out:

- **who** the deceased was
- **when** the deceased died
- **where** the deceased died
- **how** and in what circumstances the deceased died

An inquest is purely a fact finding exercise. The coroner can give verdicts of cause of death and these are limited to being:

- natural causes
- industrial disease
- want of attention at birth
- suicide
- accidental or misadventure
- unlawful killing
- open verdict
- still birth

### When is an inquest necessary?

A coroner must conduct an Inquest when the death was:

- violent or unnatural
- sudden and with an unknown cause
- in prison, or a place specified under any other Act
- when a death occurs within 24 hours of admission to hospital or a surgical procedure, although this is not mandatory
- if there is a possibility that a medical procedure contributed to or caused the death, it should be discussed with the coroner, regardless of the timescales involved
- if the death was due to natural causes and an Inquest is considered by the coroner to be in the public interest

For example, if your loved one has been killed in a road traffic accident, then the third party may be prosecuted for death by dangerous driving. If a prosecution is made an inquest is generally not held, as the coroner will accept the outcome of the criminal proceedings as

sufficient evidence of the cause of death.

If a lesser or no charge is brought, the coroner may arrange an inquest. The purpose of the coroner's inquest is to establish how and when the death occurred rather than who was to blame.

### Giving evidence at an inquest

- evidence is given under oath, which means that you are under a legal obligation to tell the truth
- questions from family members can often be hostile, and as such you have the right to representation so that appropriate questions can be put to the coroner

The inquest is often a very difficult and frustrating process for you and your family, as the question of blame is not dealt with.

We're able to arrange representation by a specialist, and often a barrister, to attend the inquest. They'll be experienced in the types of questions that can be dealt with at the inquest.