

The Social Welfare Inquest: Death, Accountability and Administrative Justice

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1. Brief summary of what the research is about.	My research investigates the role of the inquest as part of administrative justice, with particular focus on the 'social welfare inquest'. The inquest is an 800-year old jurisdiction given renewed responsibility for investigating deaths following recent human rights-influenced legislative & judicial reform. This has included greater powers and responsibilities on Coroners, an increased role for the bereaved and greater emphasis on the role of the inquest in the prevention of future deaths. My research analyses these shifts drawing on empirical, theoretical and

	doctrinal resources, and this work includes an engagement with the inquest as a site of administrative justice. My primary focus in this part of my research is on a category I call the ‘social welfare inquest’ – specifically deaths which relate to the State’s social welfare responsibilities. These include deaths of homeless individuals; deaths in care homes (whether elderly or otherwise); deaths linked to benefits withdrawal; deaths linked to domestic violence where there is a suggestion that the State could have provided more support; deaths of children in care or adults supported by social services; and other deaths of individuals which might be somehow linked to the legal responsibilities on the State to provide social protection. I am interested in the ways in which potential failures to fulfil responsibilities under social welfare law are investigated by the inquest system, the interrelationship between the inquest and other administrative justice mechanisms, and the impact of those investigations on administrative processes, including the role of feedback & mechanisms designed to prevent future deaths.
2. What are the research questions?	<u>A focus on the investigation and hearing:</u> What forms of accountability arise in ‘social welfare inquests’? What is the role of public investigations and hearings in such deaths? Do such investigations and hearings engender possibilities of different forms of accountability? What role do different actors play in such inquests – the Coroner, the bereaved, representatives of the State, the jury (if any)? What conceptions of the public arise in such investigations and inquests? What role do the media play in such investigations? <u>A focus on the outcome of the inquest:</u> How do the outcomes of inquests into such deaths provide, deny, shape, or enable possibilities of accountability? (This includes engagement with conclusions (narrative or short form), subsequent or parallel proceedings and investigations (including civil or criminal proceedings or other investigations such as Serious Case Reviews, Domestic Violence Homicide Reviews or inquiries under other legislation), and Prevention of

	Future Deaths Reports (previously known as Rule 43 reports)). What is the impact of a particular conclusion in such deaths? What is the impact of Prevention of Future Deaths reports in such deaths?
3. What, if any, outputs so far?	Chapter in PhD thesis (currently unpublished) on the social welfare inquest and the bereaved family.
4. What outputs are planned?	Journal article on administrative justice, accountability & the social welfare inquest. Chapter in edited collection on the social welfare inquest and the precarious home. Other outputs to be explored as work develops.
5. What is the anticipated impact?	A wider appreciation amongst those in the inquest system, the administrative justice system, and those engaged in social welfare law of the possibilities and constraints of the inquest system as a site for accountability in relation to social welfare functions of the State. Greater engagement with the inquest as a site for administrative justice – and the possibilities/limitations of Prevention of Future Deaths reports as a form of feedback
6. Comments / additional information / requests for data or input from the broader administrative justice community	I'd be interested to engage with others reflecting on the problems with investigating the impact of individual cases on administrative justice systems, including in relation to feedback.