

# UK coroner rules that Jodey Whiting suicide was triggered by the DWP's wrongful removal of welfare benefits

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Following a second inquest at Teesside Magistrates court into the death of Jodey Whiting, senior coroner Claire Bailey found that the decision of the UK's Department for Work and Pensions (DWP) to stop the housebound disabled woman's benefits after a string of safeguarding failings was a trigger for her to take her own life.

Jodey suicided on February 21, 2017, two weeks after her Employment Support Allowance (ESA) was stopped by the DWP.

The one-day hearing took place on June 2, hearing evidence from Jodey's mother Joy Dove, and a senior representative from the DWP, as well as written evidence from family members and an expert witness.

Jodey's family were represented by partner Merry Gardner and lawyer Dan Webster from law firm Leigh Day and barrister Jesse Nichols from Matrix Chambers.

Coroner Bailey concluded that Whiting's death was suicide "in the context of a deteriorating mental state, precipitated by the withdrawal of state benefits". Bailey concluded that there were five missed opportunities by the DWP to identify Jodey's vulnerabilities and correct their decision.

Jodey's mother is demanding a public inquiry into her daughter's tragic death and many others at the hands of the DWP. Joy's tenacious efforts over the last eight years to bring out the truth in this case have forced her all the way to the High Court.

The first inquest in 2017 lasted only 37 minutes and failed to take any evidence from DWP witnesses. A whitewash, it failed to investigate the DWP's potential role in her death.

The latest inquest heard that Whiting, aged 42, had her disability benefit, Employment and Support Allowance (ESA), stopped because she had not attended a medical

assessment. She was then informed that she would have her housing benefit and council tax support stopped with immediate effect.

The inquest heard that Jodey had not been aware of the assessment because she had not opened the first letter she had received from the DWP informing her of the appointment. Joy had tried to reassure Jodey that they could sort it out, once they had contacted the DWP and explained to them Jodey's situation and what had happened.

Two weeks later Jodey received a letter confirming that the DWP would not be changing their original decision. Jodey, increasingly upset and distressed, tried to contact the DWP on a number of occasions to resolve the matter and also attempted to get help from the Citizen's Advice Bureau.

The inquest heard that Jodey had been suffering with mental and physical health problems for most of her life, including a curvature of her spine that started in her twenties. This caused her to experience significant back pain, resulting in having to undergo numerous operations. The pain was exacerbated by an inoperable perineural cyst diagnosed in 2016, leaving her with extreme pain.

Jodey's mother told the inquest that the last few months of her daughter's life had seen her physical and mental health deteriorate, with Jodey unable to get out of the house, or even to walk a few steps.

On February 20, 2017, Jodey told her mother in desperation, "Mum, what am I going to do? I can't walk out the door, I can't go and sign on, I can't breathe." The following day Joy became increasingly concerned that she and other family members had not heard from Jodey, and no one had been able to contact her. Joy said that on February 21, she and two of Jodey's daughters—Amy and Emmy—were able to get into Jodey's flat in Stockton-on-

Tees. Joy told the court that when she saw Jodey she “screamed and screamed, absolutely devastated by the death of my beloved daughter”.

Jodey’s funeral took place in March 2017. Following the funeral Joy appealed the DWP decision on her daughter’s behalf. In early April 2027 Joy received a letter saying that the DWP had changed its original decision, and that Jodey did have a good reason for not attending the medical appointment.

Joy made a formal complaint about the way her daughter’s case had been handled and this was passed to an Independent Case Examiner (ICE)—a department that reviews complaints about government organisations, dealing with employment, benefits and financial support.

In February 2019—nearly two years later—Joy received the report from ICE which was included in the original inquest evidence. In this were outlined the five opportunities that the DWP had missed that should have been a prompt to act, including:

- Failure to consider Jodey’s request for the WCA (medical) appointment to be carried out at home.
- Failure to contact Jodey by telephone or consider a safeguarding visit after she missed her appointment as per their guidance for vulnerable claimants.
- Failure to contact the GP, as requested.
- Failure to make any notes to evidence that Jodey’s mental health was considered by decision makers.

Joy applied under section 13 of the Coroners Act 1988 for another inquest into her daughter’s death. This was initially rejected by the Divisional Court but allowed by the Court of Appeal in a 2023 decision.

In the second inquest, the coroner cited evidence from psychiatrist Dr. Trevor Turner who had been originally commissioned by the family’s solicitor and then by the court. Turner said the decision to cut Jodey’s benefits would have had an “acute and pervasive effect” on her mental state and could be seen as the “straw that broke the camel’s back”.

Speaking to the *Disability News Service*, Joy backed calls for a public inquiry into the hundreds, and probably thousands, of deaths linked to DWP’s actions and failings, and said hoped to carry on campaigning for other disabled people.

In a press release from Leigh Day, Joy said, “This did not just happen to Jodey, it has happened to many others. Jodey’s death was not a one-off failing by the DWP—the way they have treated some of their most vulnerable claimants is absolutely disgraceful. People struggling with their mental health should be treated with compassion and

understanding. They might not always fit neatly into the procedures of organisations like the DWP but it is vital that mental health is understood in every policy and considered before every significant decision that affect someone’s welfare and livelihood.”

Merry Varney, partner and head of the Inquest Group at Leigh Day solicitors, said, “Joy and her family have had to fight for 8 years to have the cause of their beloved Jodey’s death properly recognised. That cause—the same cause in the deaths of many others—Pip, David, Errol, Stephen, Michael, Kristie and many more—is the DWP.”

The vindication of the fight wagged by Joy, her family and legal team, and their warnings, could not be timelier, given the £5 billion in welfare cuts already announced by the Labour government which will strip millions of people of their right to welfare benefits, specifically many receiving Personal Independence Payments (PIP).

The DWP’s own impact assessment calculates that these changes will affect 370,000 current claimants and 420,000 future claimants.

A Freedom of Information (FOI) request submitted by the Benefits and Work charity and rights group What Do They Know exposed how the changes proposed by the government to the daily living part of PIP will lead to nine out of 10 claimants being removed from the benefit on review after November 2026.

Speaking to the Disability News Service, Joy said she plans to keep fighting: “I feel like I’ve got justice for Jodey, but I still need to carry on. “I have got my Justice for Jodey page and I am sure people will keep getting in touch.”



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