

I write as someone who runs an award-winning, modern funeral directors, Poppy's, which I launched in 2012. Our aim is to provide a transparent, open, flexible service to the people of Greater London in a sector we feel is opaque and unscrutinised, both in its practice and in its pricing. We want the public to make informed choices when it comes to funerals so we focus much of our energy on working to educate the public about their choices.

We are not members of trade associations such as NAFD and SAIF. This is not because we want to be ungoverned. It is because we would like to be governed by organisations that show leadership and courage in ensuring our sector is the best it possibly could be for the public, not for funeral directors. Like many others, we are accredited by the Good Funeral Guide which in our experience has a much more consumer-focused perspective but limited resources.

I previously volunteered at Royal Trinity Hospice as a Community Volunteer and have since become a Trustee of Cruse Bereavement Care so I have a broad perspective on the issues people face when it comes to organising a funeral.

I believe I am therefore well placed to respond to the supply of services by funeral directors at the point of need, which is where I have focused my response. Where relevant I have also made reference to insights into the supply of crematoria services because we work with these organisations on a daily basis.

Before beginning my response I want to note the great effort of many good people on the front line in the funeral sector, who work hard in difficult circumstances to do the best they can for the people in their care. I believe the funeral sector faces some major structural problems which we can all work together to improve.

Yes, I consider the CMA's analysis is correct with respect to the suspected features of concern in supply of both funeral directors and crematoria services.

Over the last seven years working as a funeral director, I have found the lack of scrutiny in the funeral sector to be of concern. I have seen how this lack of scrutiny prevents, restricts and distorts competition in the sector, leading to disempowered and ill-informed consumers and inhibits the spread of best practice where it exists.

Funeral directors are not scrutinised by their clients, or by the public at large. A small minority of our clients are empowered and informed before they contact us. These people know what they want and need. They will call us with clear wishes and instructions. Their perspective is, 'we are going to do this thing. Will you facilitate it?' But the majority of people who contact us say, 'I have never done this before. I am at sea. I am not myself. What should I do?' We have had circumstances where people have gone as far as to ask us, 'do you think I should cremate or bury my mother?'

In our experience the public are not prepared for, and have no, or very limited expectations of the process of organising a funeral. Many people are willing to do what they're told, to accept the funeral they're sold, and are unlikely to complain unless something major went wrong. It would be easy for a funeral director to manipulate that power imbalance to maximise profits and minimise logistical challenges.

The public do not ask funeral directors where the person who has died will be kept and cared for (if not on site, then where) and funeral directors do not as a rule tell them. The public do not ask funeral directors what 'care for the body' entails and are unlikely to meet the person performing those duties. The public do not ask about embalming, what it is and whether it is necessary. The public do not ask to see behind the scenes and funeral directors generally do not offer that experience. I think most funeral directors would not be

proud to show their clients their mortuaries. Funeral directors can exert a lot of influence over people who are vulnerable. As the CMA outlines, the public are unprepared for engaging a funeral director and they do not hold us, as a sector, to account.

Funeral directors are not scrutinised by the third parties (including nurses, doctors, hospice staff, coroners, ministers) who the public turn to for objective information and advice on funerals and funeral directors. As an organisation we have made it our mission to educate the public about the choices available to them when someone dies. We do outreach work to educate palliative care nurses, doctors, carers and other people involved in dying and death about their patients' choices after death because we know that the public turn to those 'experts' for guidance. We repeatedly find that these third parties are very badly informed about the choices and rights open to their patients and their associated costs. We find that misinformation abounds, and too often the bereaved are being directed to the local funeral director to discover their options.

The hospice response, for example, to supporting patients and their families with information varies hugely. We have spoken to hospices who proactively hand out lists of local funeral directors to their patients' families. There are others who feel it is not their domain ('we are clinicians, not funeral experts' and at another hospice, 'we have a funeral director over the road so we send everyone there'). Speaking to a local care home about choice, the manager told us it wasn't normal for other funeral directors to come and speak because they had an 'agreement' with **** funeral directors.

My experience is that the public and critical third parties who could hold the sector to account, have taken a step back from the discussion about funerals, what they could be, what they should cost and what expectations the public should have. Funeral directors, quite naturally, have filled that gap. That is not beneficial to competition, improving the sector, or the empowerment or informing of the public.

I see little evidence of trade associations like NAFD and SAIF spearheading initiatives to promote competition or innovation in the interests of the public. I have been disappointed to see that under recent scrutiny, market-leading organisations in the sector have shown little accountability or leadership to commit to real, impactful change. Trade associations represent their members, many of whom are naturally invested in things staying the way they are. I do not have confidence they would be able to scrutinise or improve the sector objectively and with self-awareness.

The bad practice I or my team have witnessed (detailed later), has often been by funeral directors who were members of trade associations. I don't know the data on how often the trade associations are visiting their members, what their criteria on quality testing is, and in reality how often members are disciplined or disqualified, but I have visited many funeral directors and I have never felt that the best practice I have seen has been the result of trade association membership. I am also concerned there is a misunderstanding about why funeral directors, like my own organisation, have chosen not to join the traditional trade associations. The best, most thoughtful, innovative funeral directors I know are either not members of trade associations, or may be members but feel disappointed by their approach (which they see as serving funeral directors, not the public).

In the absence of scrutiny from either the public (both individuals and third parties), who I believe could be much better educated and informed to improve competition in our sector, or from an objective professional body, I consider the CMA's analysis is correct with respect to the suspected features of concern in the supply of funeral directors' services.

I also consider the CMA's analysis is correct with respect to the reference test being met in relation to the supply of both services and have only one insight to add, regarding the 'local' supply of funeral services.

In response to 8.21, we cover the whole of Greater London. Although 60% of our clients come from a radius of 5 miles, we regularly look after clients from much further afield who have felt their needs could not be served by a local funeral director because of an inflexible approach. I feel this says something about the lack of innovation and competition in our sector. Our experience will be coloured by our city location and approach, but it may be that as the public are better informed and empowered, they would be willing to travel further to employ someone who best matches their needs, rather than a choosing a funeral director with a local location.

I agree with the CMA's proposal to exercise its discretion to make a reference in relation to the supply of services by funeral directors because without the reference, the sector has shown that it will not consciously promote competition, best practice or the best interests of the public. There have been many opportunities: the OFT inquiry in 2001, multiple exposes on television in 2012 and recent media interest. These were all opportunities for the market leaders in the sector, and the trade associations, to step forward and show leadership and motivation to improve and change. It seems to me it has not happened in any meaningful sense. I believe the reference has the potential to put in place objective mechanisms to help the sector perform better for the public.

My views on the CMA's current thinking on the types of remedies that an MIR could consider:

8.68: Transparency measures. Anything that encourages transparency would result in better informed consumers and increased competition. Price lists should be online and available face to face and I think the distinction between essential (or standard), optional and third party is sensible. We already distinguish between minimum packages and optional extras and we get consistent, positive feedback about the refreshingly clear and open way we present our pricing. I can think of no reason why presenting pricing clearly and transparently would be a problem for a funeral director.

One very important thing to remember is that the services you list as 'essential' are not actually essential. For example, the body does not need to come to the funeral home. We have often supported clients to keep the body at home between the death and the funeral and will amend our pricing accordingly. We have also regularly (at the request of the client and with the hospice/hospital's permission) acted simply as a transport service, collecting the person who has died from the hospital, for example, on the day of the burial, driving them to a natural burial ground where the client has not needed our services as 'funeral director' or as 'bearers' because they are organising the ceremony, and carrying and lowering the coffin themselves. The feedback we have had from these clients, who have often been told by other funeral directors that these services were not available, has been overwhelmingly positive. Whilst price transparency is essential, it is also important to make sure services are not fixed in a way that misleads the public to think that what follows a death must follow a set format.

8.71 Informing the public. I believe this would be a powerful way to inform and empower consumers and promote competition in the industry, and my experience shows there is great appetite from hospices, hospitals and care homes to better support their patients and their families to have access to informed choices. Again my concern here would be that the conversation would be reduced to price and a fixed understanding of what a funeral could and should be. A simple extension of your proposal for hospices, hospitals, care homes: in addition to listing funeral directors with price lists, they could provide 10 objectively agreed

tips to prepare the client for contacting a funeral director, or questions for the client to ask. We created a document entitled '10 myth-busting facts about funerals' in 2012 for our educational work and it remains the best tool we have to provide simple, clear tips to empower and inform the public.

8.72 I believe that a statutory code of practice would be beneficial to the funeral sector. It is essential for a proposed code of practice to be rigorously designed around the consumer's best interests. I believe this would improve standards 'behind the curtain' but this process shouldn't be about fixing or standardising services in a way that harmed competition or innovation in the sector, and most importantly choice for the consumer.

8.73 and 8.74 I feel the sector has proven that it does not have an accurate and objective view of itself, or the ability or motivation to make substantial changes to the way it works to benefit the public. In the continued and ongoing absence of this move to positive change, I believe that regulation could be a solution. Again I believe this shouldn't be about fixing or standardising what services the public can access. Access to choice must be of paramount importance.

8.75 I have no prior experience of this so don't feel able to comment.

Other measures which could be considered:

Anything that encourages the funeral sector to be more transparent would result in better informed, less vulnerable consumers. In addition to requiring funeral directors to publish their pricing online, I believe funeral directors should be required to be more transparent about their work. For example:

- tell the client where the person who has died will be cared for. Mortuaries are often off-site and the body will be transported back and forth when necessary.
- train and prepare staff to explain invasive procedures, such as embalming and suturing, clearly. The client should be in control of these important decisions. Have easy to understand, client-focused literature about these procedures available.
- welcome clients to inspect 'behind the curtain' areas. Or at least have imagery of these spaces available.
- train and prepare staff to describe how the person will be cared for.

Most importantly I believe education is the key to improving competition in the sector. If the public aren't aware of their options, how can they hope to get the experience they want and need? There is much to learn from parallel movements such as childbirth and hospice care where best practice evolved to empower and inform potentially vulnerable people in need of thoughtful, gentle treatment. The success of these movements relied on the education and involvement of the people affected. Whilst grieving people may be vulnerable, they are not without needs, wishes and also power.

At Poppy's, we train our team to empower and inform our clients; to provide and support them with the information they need to make the best choices. We encourage our clients to call other funeral directors to ensure they are making an informed choice. We invite the public 'behind the curtain' and into our mortuary to be transparent about our work and to get feedback on how we could improve our service.

I have the following evidence and views to submit on the following matters:

(a) Quality of care of the deceased. When considering low standards of care, the model is like a pyramid. At the top are shocking examples that would make the headlines, or content for an expose. The company's employees would know but the general public would likely not. At the bottom of the pyramid is a general lack of thought and care - inappropriate jokes,

poor choice of language, lax health and safety standards etc. And if neither your employer, nor the public, nor third parties prioritise standards of care, is it surprising that low standards have become normalised, and that sometimes shocking things happen? We look after the people in our care thoughtfully and gently because we know it's right. It is very rare for a client to want to know in depth the thought and care we've put into our treatment of the body.

- we collected a person who had died from another local funeral director's because the family decided to change funeral director. When we went to their mortuary to collect her, she was lying on a mortuary tray top to toe with another unrelated gentleman. This funeral director was a member of one of the major trade associations.

- we collected a woman from another funeral director's mortuary who told us, 'she's got a piss-bag' (catheter). This funeral director was a member of one of the major trade associations.

- a funeral director said to me, 'at the end of the day, we're all dealing with meat aren't we?'. This funeral director was a member of one of the major trade associations.

- a crematorium employee remarked to one of my team that one of the family members carrying the coffin (a young woman) had a 'nice arse'.

- this happened with a local authority cemetery: we were organising a burial for a family and every time my team member rang the cemetery office, the staff in the cemetery office asked if the family was black 'because we only allow token back-fill so you must tell the family'. When we arrived at the cemetery on the day of the funeral, the first words out of the cemetery attendant's mouth were 'black or white?' Whilst this experience did not happen in a mortuary it points to the wider racism which exists within the sector and the assumptions people make about what families want and need. It shows education and training across the sector is lacking.

We have had countless experiences:

- with mortuaries (hospital and coroners as well as funeral directors) where the staff refer to the person who has died as 'it', 'a big one', 'a smelly one'

- with funeral directors coming to collect somebody from us, not checking the person's ID

- with mortuary staff 'tipping' trays to move the person who has died to a stretcher. This is not gentle treatment and wouldn't happen in the person's lifetime. If care home staff or paramedics can find more gentle ways to move the body, so can our sector

- with mortuaries administering production-line treatment to all bodies in their care: for example, the over-use of Vaseline to keep eyes and mouths moisturised

- mortuaries in general are not well kept or designed, often smelling badly. A thorough cleaning plan with regularly changed clinical waste bins should ensure bad smells do not linger

- mortuaries are often combined with vehicle storage. The thinking is 'this is back room space where no clients will want to come', rather than 'let's make this a space we'd be proud to show'

- with funeral directors who use 'shell' coffins to keep people cool. To get the person out of the shell coffin, you need to lift them upwards before being able to move them. This is an example of an under-investment in equipment that would improve the health and safety of people working in the sector

Lastly, a member of my team used to work for a large corporation as a funeral arranger.

There were times when people were stored on 'cold tables' in the branch rather than in the proper refrigeration in the hub, for up to two weeks at a time. This usually happened so a doctor could visit the body locally rather than having to travel a long way to the hub. This did not keep the body in good condition, particularly in the summer.

I do not have issues to raise specific to religious groups.

Thank you for inviting us to share our insights and experiences. I would welcome the opportunity to contribute further to help my sector be the best that it can be.

Poppy Mardall
Founder and Director, Poppy's