

Dear CMA

Having read your report identifying significant concerns about funeral services at the point of need and the supply of crematoria services in the UK I offer my response.

A. I consider that the CMA's analysis is correct with respect to the suspected features of concern in the supply of:

- services by funeral directors

'8.31 I agree that there are reasonable grounds for suspecting that one or more of the following features or combination of features prevents, restricts or distorts competition in the supply of services by funeral directors at the point of need in local areas:

- 1 Customers' vulnerability and difficulty in engaging at the point of need.
- 2 Customers' unresponsiveness to measures of price and quality; they largely choose a funeral director on the basis of recommendation or personal experience.
- 3 Customers' inability to assess certain aspects of quality and the value for money of all options offered given funerals are an infrequent purchase and customers are often inexperienced.
- 4 Lack of transparency: reluctance of firms to publish / disclose clear prices (including online) or to provide comprehensive information on quality and range.
- 5 Point of sale advantage: ability of suppliers to largely control the decision-making process leading to the sale and its outcome.
- 6 Ineffective self-regulation in respect of information transparency – no mandatory publication of online prices, absence of publication of inspection reports.'

- crematoria services

'8.33 I agree that there are reasonable grounds for suspecting that one or more of the following features or combination of features prevents, restricts or distorts competition in the supply of crematoria services in local areas:

- 1 Customers' vulnerability and difficulty in engaging at the point of need.
- 2 Customers' unresponsiveness to measures of price and quality; they largely choose a crematorium on the basis of location or personal experience.
- 3 Low numbers of crematoria providers in local areas.
- 4 High barriers to entry arising from the planning regime and high fixed costs, which limit the number of crematoria in each local area.'

B. I consider that the CMA's analysis is correct with respect to the reference test being met in relation to the supply of:

- services by funeral directors at the point of need (see paragraphs 8.12 to 8.37) and
- crematoria services (see paragraphs 8.12 to 8.37)?

C. 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 at the point of need and the supply of crematoria services (see paragraphs 8.38 to 8.96)?

D. I consider that the proposed scope of the reference as set out in the draft terms of the reference in Appendix F, would be sufficient to enable any adverse effect on competition (or any resulting or likely detrimental effects on consumers) caused by the features referred to in paragraphs 8.31 and 8.33 to be effectively and comprehensively remedied.

E. In addition to the above, my views on the following matters:

Whilst the majority of people choose to use a funeral director we are not required by law in the UK to use one. This seems to have been overlooked in your report.

Anyone – not just a funeral director – can organise the burial or cremation of a body.

As consumers, death affects us all and we have the right to be fully informed and made aware of all options available.

We may choose to safely care for our dead person at home and direct the funeral ourselves. This is often referred to as a home funeral and/or family led funeral.

Home funerals are legal and safe, significantly they can be more affordable as well as offering a personalised, meaningful option. Significantly home and family led funerals save money. They offer lower costs and higher value.

In addition families may experience emotional, psychological,, environmental and spiritual benefits with a home and/or family led funeral.

Royal London estimates 98% of people use a funeral director and only 2% independently by customers yet our experience is the number of families who wish to make their own arrangements is growing. I do not recall seeing within the CMA findings anything to highlight the options that families have if they do not wish to use a funeral director.

Education and access to accurate, independent information is key to ensuring consumers are aware of their rights before being in crisis.

With this in mind I urge the CMA to consider including this legal option as a valid choice alongside others such as lower cost direct cremation.

Those in gatekeeping positions within communities have a significant role to play in sharing accurate information and communicating fully the choices available including the option of home and family led funeral.

Consumers should know and be aware;

Families have the legal right to care for their own dead at home.

The body can lie safely and naturally at home until burial or cremation.

Embalming is often not necessary nor required by law.

Families can make all funeral arrangements and decisions with or without a funeral director.

Families can fill out and file necessary documents and transport their dead with dignity in any vehicle, including a family estate car.

If required, conventional black and alternative hearses may be hired directly.

Coffins are not required by law for burial or cremation. If required, coffins and eco caskets may be bought directly. Alternatively, families may use a shroud for both burial and cremation.

Families may lead part of, or all the funeral ceremony themselves.

Funeral services may be held at home and/or in any place of personal/spiritual significance.

For cremation, families have the right to book their chosen time and date directly at any crematorium.

For burial, families have the right to bury in traditional church /council run cemeteries, natural burial grounds and in some cases on their own land.

I would like to see a consumer alliance set up to represent and advocate for consumers and to ensure they are well represented in all decisions made.

Claire Turnham MBE

Founder, Only With Love - Home and family led funerals.

Chair, Home Funeral Network UK