

## COMMENTS REGARDING CMA INVESTIGATION

Paragraph

2. We fail to understand why the provision of Cemetery Services were not included in the investigation.

8 (d). There are serious cost differences for adherents with a faith that prefers burial (e.g. Muslim, Jewish, Orthodox Churches and traditional Catholics) and those that insist on or allow cremation (e.g. Hindu, Sikh and the majority of Protestant religions).

12 (c) (ii) and 43. It is important to maintain the current restrictions on the positioning of crematoria to ensure suitability of location for purpose. In addition, it has been estimated that there is little need to develop new crematoria to service the needs of the bereaved in the UK as very few crematoria are actually at capacity.

16 (b) (i). In the immediate aftermath of a bereavement bereaved people are not able to exercise the commercial judgement they would exercise in normal circumstances. At a time of great emotional upset they are having to make key decisions and are under pressure time-wise, particularly if there are cultural/religious aspects to consider. It is very common for the bereaved to use the services of Funeral Directors and Crematoria previously used by other family members and it is not the usual practice for bereaved families to “shop around” for the best deal. It is important that the raising of public awareness comes from bodies independent of funeral directors who have a commercial interest in selling their own products. Having a dignified ‘goodbye’ for a loved one is not dependant on how much money is spent.

16 (b) (ii). There is a need across the sector for greater transparency. The vulnerability of customers and difficulty in engaging with the process makes it vital that as much information is provided as possible, including online, in premises as well as in leaflets that can be taken away for consideration. Information needs to be clear and comprehensive. All funeral directors should set out the price of their cheapest funeral i.e. a simple, basic funeral as well as the costs of a direct cremation setting out exactly what this does and does not entail.

As well as providing information in a standardised format, it is essential that there are clear and agreed definitions for comparisons to be made including – what constitutes a simple/basic/low-cost funeral and what is involved in direct cremation. The lack of consistency currently makes it difficult to compare like with like.

Bereaved people need to be made aware that prices between funeral directors vary; more than one crematorium may be available; crematoria slots vary in price according to time of day and length; personalisation does not necessarily cost more; and time delays should be questioned. Are these due e.g. to a lack of slots at crematoria or to lack of capacity of the funeral directors?

16 (c). Prices for cremation services tend to be competitive with neighbouring authorities or companies, however the unexplainably high fees are often charged in more isolated locations where comparable services are not locally available. It is fair to say that Local Authorities are not necessarily reinvesting profits from the provision of crematoria back into the service. It is clear in a number of cases that surplus funds generated within the service are used to balance the accounts in other Local Authority services that are not self-financing for whatever reason. We are aware of Local Authority Bereavement Services sections that are generating in excess on £2m profit each year from the burial and cremation service it provides. A number of crematoria in the public and private sectors have yet to even deal with the issue of appropriate access for people with disabilities and yet funds are swept away and used to support services that are not financially self-sufficient.

Better information needs to be provided e.g. on the gov.uk website, by care and nursing homes and the coroner's office and during the process of registering a death. This could include key questions bereaved people should consider in making their choices.

17. It is essential that the methodology involves ways of reaching a broad spectrum of bereaved people, to seek feedback. Using social media including Twitter and Facebook and going to groups like the National Bereavement Alliance [www.nationalbereavementalliance.org.uk](http://www.nationalbereavementalliance.org.uk) , WAY (Widowed and Young) [www.widowedandyoung.org.uk](http://www.widowedandyoung.org.uk) , Dying Matters [www.dyingmatters.org.uk](http://www.dyingmatters.org.uk) and faith groups could facilitate a representative contribution.

The investigation needs to include feedback from people who have arranged services online, by telephone as well as through the more traditional face: face meeting with a funeral director.

Perhaps it would be appropriate to examine some academic research e.g. the work of Kate Woodthorpe and Margaret Holloway and to look at the work undertaken by Dying Matters, the coalition of individual and organisational members across England and Wales which has played a key role in helping people to talk more about death, dying and bereavement including making funeral plans.

26. The services provided by a crematorium include the surrounding gardens. Gardens are for memorialisation, prayer and reflection, beauty and relaxation: all these are constituent parts of the value of 'the landscape of mourning' as Professor Hilary Grainger mentions in her book 'Death Redesigned'.

38. The Cremation Society applauds the Statement's frequent comments about the lack of transparency re final costs. 'Informed choice' in funeral costs was the motto of the Dead Citizens Charter of 1996. It remains a relevant demand today.

45. The lack of regulation, legal quality and service standards and inspection of funeral directors in England, Wales and Northern Ireland means that anyone can enter the industry and that bereaved people cannot be given reassurance about minimum standards. Whilst 75% of funeral directors belong to the two main trade associations which do have their own standards, this means that there are still a significant number that may not have any self-

regulation or voluntary initiatives. Changes to the regulatory framework would therefore seem to be a welcome remedy and would keep us on a par with Scotland.

At the very least agreed standards across the industry would help to ensure greater consistency.

There are cross-sector bereavement care service standards:

<https://www.cruse.org.uk/get-help/for-professionals/bereavement-care-service-standards>

50 (c). It is important for the CMA to examine marketing of direct cremation and in particular look at how direct cremation is being promoted. In the Funerals Market Study for example, under the heading 'Direct Cremation Providers' there is a reference to customers having the option to attend the actual cremation. This would not be the case in many direct cremations, and some might argue this is not 'technically' a direct cremation if mourners are present. 'Simple cremations' are not synonymous with 'direct cremations' but the difference between them is critical for section 127.

The offer of a simple/basic/low-cost funeral should be a requirement of all providers.

52 (c). Profits from Local Authority crematoria have often been ploughed back into subsidising other loss-making Local Authority projects/responsibilities.

76. It is apparent that there has been a major shift in the perceived purpose of the crematorium over the last 40 years. In the past the crematorium used to be the place that cremations took place and in approximately 80% of cases cremated remains were scattered at the crematorium resulting in the site being a significant place of remembrance as well as a place where the process of cremation took place. These days the percentage of remains scattered or interred at the crematoria has dropped to around 20%, which for a lot of bereaved families has resulted in the crematoria being a place where a function took place as opposed to a place regularly visited to remember a loved one.

90. The CMA is recommended to look into the history of the introduction and demise of the Funeral Ombudsman scheme (c. 1994-2001) for 'understanding the approach of trade associations handling consumer complaints'. See also 117.

93. The statement that "In general there are few crematoria that are in close proximity to one another" is correct in some areas, but it must be understood that the average cost of the provision of a new crematorium and necessary facilities is likely to be in the region of £5m. This will not be a viable option if the developer or Local Authority concerned cannot see the potential for it to be financially stable. It must be remembered that there are currently approximately 470,000 cremations carried out in the UK on an annual basis. The introduction of new crematoria will not necessarily increase that number but will redistribute the number of cremations at each site.

111 (b) and 123. Price charging remedies should begin by distinguishing between costs of funerals involving cremation and those involving burial. This is a very complex matter and not simply comparing like with like.

118. The Cremation Society would be happy to encourage people to visit crematoria to help make their choice about places for their family funerals.

136 (a). The Society is happy to encourage the collection of information on 'key performance indicators'.

137. The Cremation Society has no objection to an Inspectorate of Crematoria. The Federation of Burial and Cremation Authorities' role in this has been a long and valuable one and a national inspector here would serve to strengthen this. Scotland now provides an example on which England and Wales could build and improve.

In your first Report you referenced Brian Parsons' book on the history of modern funeral directing. We would like to suggest that the Investigating team read Revd. Dr. Peter Jupp's 'From dust to ashes: cremation and the British way of death', or Professor Hilary Grainger's 'Death Redesigned' or Jupp, Davies, Grainger, Raeburn and White on 'Cremation in modern Scotland: history, architecture and law'. At the very least, these would show the Investigators the role played by Local Authorities in the provision of crematoria.

If you require any clarification on our response we would be happy to meet to discuss in more detail.

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