

J Funerals

From: Daniel Turnbull

Senior Director, Markets

17 October 2024

J Funerals' breach of the Funerals Market Investigation Order 2021

I am writing to you on behalf of the Competition and Markets Authority (CMA) concerning J Funerals' failure to comply with the [Funerals Market Investigation Order 2021](#) (the Order).

This letter, and the directions given within it pursuant to *Article 13(2) of the Order*, will be published on the CMA's website for transparency.

The Order

The Order introduced a range of new legal obligations on funeral directors to tackle the problems identified by the CMA in its market investigation (the final report of which can be accessed [here](#)). The report identified a number of concerns with the sector, such as the way that information was provided to customers that made it hard for families to compare prices and choose the right combination of services. The CMA expects all funeral directors to comply with the Order. On 27 January 2023, the CMA issued [guidance](#) to support funeral directors and crematorium operators in achieving compliance with the Order.

J Funerals' engagement with the CMA

On 9 October 2023, the CMA wrote to you to explain that J Funerals may have been in breach of *Articles 3(1)(a) and 4 of the Order*. These related to J Funerals' failure to display the required price and commercial information on its website (<https://www.jfunerals.co.uk>).

On 23 October 2023, J Funerals wrote to the CMA to commit to addressing the CMA's concerns raised in the 9 October 2023 letter.

On 19 April 2024, the CMA wrote to you to explain the extent to which the breaches identified in the 9 October 2023 letter had been remedied and listed the outstanding

areas that required action to achieve full compliance with the Order, including regarding breaches of *Article 3(1)(a) of the Order*.

On 27 September 2024, the CMA informed you of its intention to issue a public letter and listed the outstanding areas that required further action. The CMA also contacted you by phone on 7 October 2024 to offer you the opportunity to ask any questions about how to become compliant and about the intention to issue a public letter.

It is over one year since the CMA first brought J Funerals' breaches to your attention and despite the feedback provided to you on several occasions, you have still not fully remedied your non-compliance as of the date of this letter.

The CMA's concerns

Customers accessing funerals services are often in a vulnerable state and it is important for them to understand how much a funeral costs so they can compare the prices and services offered by different funeral directors. The CMA is concerned that J Funerals' ongoing failure to display the required pricing on its website does not afford customers the ability to do so effectively.

It is difficult to know how many consumers were affected by the breaches concerned because we are unable to determine how many consumers have accessed the J Funerals website while it has not been compliant with the Order. However, we believe that a notable number of consumers will have been affected, as the breach seems to have been ongoing since at least 3 January 2023, and the business operates from 3 branches, giving it access to a notable number of customers.

The breaches

The CMA found that J Funerals was in breach of the following requirements of the Order:

- The **Standardised Price List**, according to *Article 3(1)(a) of the Order*, which must use the exact terms and structure set out in Part A of Schedule 1 to this Order.
- The **Additional Options Price List**, according to *Article 3(1)(b) of the Order*, which is an itemised price list of all the products and services that a funeral director offers to customers that are not included in the Standardised Price List in the section labelled 'Additional Funeral Director Products and Services', some of which may have traditionally been treated as disbursements. This does not include any products and services provided on request by a customer which are typically not offered by that funeral director to customers on their website or in their branches (e.g. bespoke items).
- The **crematoria pricing information**, according to *Article 3(1)(c) of the Order*, which must include the information required in *Articles 8(5) and 8(6) of the Order*.

Specifically, the crematoria price information must be displayed on your website covering the following types of service: a Crematorium Standard Fee Attended Service, a Crematorium Unattended Service (if offered by the crematorium operator) and a Crematorium Reduced Fee Attended Service (if offered by the crematorium operator). In the 9 October 2023 letter, the CMA required you to confirm whether you had been provided with price information from any local crematorium operators (as specified in *Article 8 of the Order*). You confirmed this in your written response to the CMA on 23 October 2023.

- **Terms of business**, according to *Article 4 of the Order*, if customers are required to pay a deposit or charges for late payment of sums due. In the 9 October 2023 letter, the CMA required you to confirm whether you required customers to pay a deposit or charges for late payment of sums due, and you did so in your written response to the CMA on 23 October 2023.

What you need to do now

The CMA notes that you have taken steps to address some of the breaches notified to you in the 9 October 2023 letter. For example, you now correctly display on your website crematoria pricing information and your terms of business. However, there remain outstanding breaches that require resolution. Please display on your website:

- A **Standardised Price List** according to *Article 3(1)(a) of the Order*, which must use the exact terms and structure set out in Part A of Schedule 1 to this Order. We note that in a document titled 'Full Pricing' you are currently displaying package-level pricing information on a Simple Price List Package and Basic Funeral Prices list, but this pricing information does not use the required terms and format for a Standardised Price List and as such, it may hamper consumers trying to compare the prices and services offered by different funeral directors. Please adopt the terminology and structure outlined in Part A of Schedule 1 to the Order. As well as adopting the 'Standardised Price List' heading for the information currently listed under Simple Price List Package and Basic Funeral Prices, please note that all prices on the Standardised Price List must be displayed as monetary values unless otherwise specified in Part A of Schedule 1 of the Order. Further, please note that only certain products and services in the 'Additional Funeral Director Products and Services' section can be displayed as 'prices on request', while others cannot.
- An **Additional Options Price List**, according to *Article 3(1)(b) of the Order*, which is an itemised price list of all the products and services that you offer to customers that are not included in the Standardised Price List. This should include price information for services such as flower arrangements, that you offer through third-party suppliers. You must provide a price for these types of services unless they are bespoke services provided only to customers on their request and in accordance with their individual specifications, and these are currently displayed

as 'Price on Request'. The price information for services in the Additional Options Price List can be displayed as a starting from price or as a range.

CMA assessment and next steps

The CMA is committed to ensuring all funeral directors comply with the Order so that consumers across the United Kingdom are in a position to make informed choices regarding funeral services and products.

The CMA expects you to take the necessary steps to become fully compliant within three weeks to avoid further enforcement action. The CMA will monitor J Funerals' compliance with the Order and reserves the right to take further action if full compliance with the Order is not achieved in a timely manner.

If you have any queries about this letter, please contact me using the email address below.

Yours sincerely,

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