



Citizens Advice Scotland response CMA Funerals market study

Citizens Advice Scotland (CAS), our 60 member Citizen Advice Bureaux (CAB), the Citizen Advice consumer helpline, and the Extra Help Unit, form Scotland's largest independent advice network. Advice provided by our service is free, independent, confidential, impartial and available to everyone. Our self-help website Advice for Scotland provides information on rights and helps people solve their problems.

In 2017-18 the Citizens Advice Service network helped over 295,100 clients and dealt with almost 800,000 advice issues for clients living in Scotland. With support from the network clients had financial gains of almost £142.2 million and our self-help website Advice in Scotland received approximately 3.2 million page views.

Citizens Advice Scotland welcomes the opportunity to provide evidence to the Competitions & Markets Authority.

The CMA welcomes representations from interested parties on the provisional decision set out in this document. The CMA wishes to stress the importance of the consultation process in assisting the CMA's decision making and urges interested parties to engage with the consultation. Respondents may wish to reply in relation to the supply of services by funeral directors at the point of need, in relation to the supply of crematoria services, or both. In doing so, respondents may wish to consider the following questions:

- Do you consider that the CMA's analysis is correct with respect to the suspected features of concern in the supply of:

- services by funeral directors at the point of need (see paragraph 8.31);

Yes. In particular, CAS welcomes that the vulnerability of consumers when purchasing services from funeral directors has been recognised. Additionally, we are pleased to see that the importance of openness and transparency are highlighted in this report. These are areas where CAS believes improvements could be made to ensure consumers are more informed when making difficult decisions about how to say goodbye to their loved one.

and

- crematoria services (see paragraph 8.33)?

Yes. CAS particularly welcomes the recognition of the vulnerability of consumers when purchasing services from funeral directors. Additionally, we welcome issues of openness and transparency being raised in this report. CAS believes improvements could be made in these areas to ensure consumers are more informed when making difficult decisions about how to say goodbye to their loved one.

• Do you 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);

Yes.

and

- crematoria services (see paragraphs 8.12 to 8.37)?

*Yes. The increase in cremation charges is an area which CAS has reported on for a number of years¹. Our most recent report, *The Cost of Saying Goodbye (2017)*² reported that between 2014 and 2017 cremation charges in Scotland increased in average by 17%.*

• Do you 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)?

Yes, CAS supports this proposal. We welcome attention being given to this area where consumers are particularly vulnerable due their grief and the stress they are under.

• Do you consider 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?

Yes. CAS feels this scope is sufficiently wide and understands why pre-paid funeral plans have been excluded.

• Do you consider that the features which the CMA has identified that may prevent, restrict or distort competition are capable of being effectively and comprehensively remedied by UILs (undertakings in lieu of a MIR)?

Yes.

• Do you have any views on our current thinking on the types of remedies that an MIR could consider (see paragraphs 8.66 to 8.86 above)? Are there other measures we should consider?

Yes, in particular CAS welcomes the focus on a standardisation of services offered. In our original response to the CMA³, we suggested there should be a standardisation of wording to describe items included in price lists when displayed by funeral directors. We hope this would enable consumers to more easily make comparisons when choosing a funeral director or crematorium. It could also remove barriers for consumers at this difficult time.

¹ See for example, Citizens Advice Scotland (2017), [The Cost of Saying Goodbye](#)

² *Ibid*

³ <https://www.cas.org.uk/publications/cas-response-competition-and-markets-authority-funerals-market-study>

9.7 The CMA would particularly welcome any specific evidence from respondents in support of their views.

9.8 In addition to the above, the CMA would also welcome evidence and views on the following matters: (a) Quality of care of the deceased: we have received anecdotal evidence that there may be varying standards of care being applied by funeral directors and would like to understand how widespread such issues may be. We would therefore like to hear from people who have witnessed standards of care which they considered to be unacceptably low.

CAS will not be responding to this question.

(b) Issues specific to religious groups that are not covered in this report: we have focused our work on the transactional aspects of funerals involving funeral directors and crematoria. We believe that the issues we have identified in relation to those specific aspects would essentially be similar across all faiths (to the extent that the way they organise funerals involves transactions with funeral directors or crematoria). We are keen to find out whether we may have overlooked any issue of relevance and will seek to engage actively with the representatives of the major faiths.

CAS will not be responding to this question.