

# Meeting of the Cross Party Group for Funerals & Bereavement

Monday 18 March 2024 – via Teams

## Draft minutes

### Attendees

- Mark Isherwood MS (chair)
- Deborah Smith (secretary)
- Altaf Hussain MS
- Ahmed Alsisi, White Rose Funerals
- Gethin Rhys, CYTUN
- Eleanor Hunt, Cwtch
- Phil Blatchly, PR Blatchly
- Stephen Tom, Philip Tom & Sons
- Craig Perfect, Baglan Funeral Home
- Kate Edwards, NAFD tutor
- Kelly Owen, Tom Owen and Son Funeral Directors
- Rachel Bradburne, NAFD
- Barry Pritchard, NAFD
- Andrew Judd, NAFD
- Rebecca Aylott, NAFD
- Tracy Atkins
- Kirsty Rees
- Richard Roberts
- Ryan Hitchings
- Lisa Smith
- Terry Tennens, SAIF
- Gordon Swan, NAFPP

### Guest speakers

- Andrew Bazeley, Law Commission
- Nicholas Hopkins, Law Commission
- Beth Chalcroft, Law Commission
- Spencer Clarke, Law Commission
- Alison Young, Law Commission

### Welcome and introduction

Mark Isherwood MS welcomed attendees to the meeting, which included additional funeral director members of both the NAFD and SAIF, who were invited to attend to listen to the Law Commission presentation.

Mark Isherwood noted that this was the first meeting of the group for 2024 – and that it was well timed, given that the funeral profession and the experience of bereaved people had dominated the news in the past week, and likely made for uncomfortable reading for many members of the Group.

### Apologies for absence

Deborah Smith noted that apologies had been received from:

- Llyr Gruffydd MS
- Russell George MS
- Jane Dodds MS
- Darren Millar MS
- Martin Birch, Cardiff City Council
- Emma Kneebone, 2Wish

### Minutes of previous meeting; matters arising

The draft minutes from the joint meeting with the Cross Party Group for Hospices and Palliative Care, held in October were proposed for acceptance by Stephen Tom and seconded by Phil Blatchly.

In terms of matters arising, Deborah advised that there was one outstanding item – a letter to the Welsh Government regarding the campaign to introduce bereavement education to the national curriculum. Once the new First Minister's team was appointed, this letter would be sent.

**Action:** Deborah to draft letter.

Gethin Rhys asked if he could be introduced to John Adams, who presented on this at the previous meeting, which Deborah Smith actioned by email.

### **The Law Commission Review of Burial and Cremation Law**

Mark Isherwood introduced speakers Andrew Bazeley and Nicholas Hopkins from the Law Commission, together with their colleagues in attendance, and invited them to give their presentation on the progress of their review of burial and cremation law in England and Wales, the majority of which was now significantly greater than 100 years old.

Nicholas Hopkins explained that their work was split into three distinct strands: burial, cremation and new funerary methods. In respect of burial, they were looking at issues such as burial ground maintenance, grave reuse, registers of burial rights and exhumation. In terms of cremation, they were looking at issues such as where crematoria are located and associated planning impact on the greenbelt; who can apply to build a crematorium; unclaimed ashes (including the model now operating in Scotland and whether any such similar model in other parts of the UK would need to be applied retrospectively) - and whether ashes should continue to be treated as a body and require a license to be exhumed.

The third strand of work relates to new funerary methods, in particular alkaline hydrolysis and human composting, which are at present not actually unlawful in the UK but unregulated. They are looking at the criteria that would need to be met in terms of public and environmental health and dignity of deceased people, were these to become regulated in England and Wales.

There were a number of questions in response to the update, NAFD President Barry Pritchard noted issues around depth of graves, while Eleanor Hunt noted the implications for coffins and shrouds of new funerary methods and asked if she could be put in touch with the Law Commission.

**Action:** Deborah Smith to provide details.

Gethin Rees commented on transferral of burial grounds to parish councils in England and that this would be different in Wales as there are no parish councils and large areas where there are no community councils either. Nick Hopkins for the Law Commission responded that they were in discussion with the Welsh Government on protocols for applying recommendations to devolved issues.

Mark Isherwood asked if the Commission had given consideration to proposing planning frameworks for new crematoria which reflected the local population ratio. Nick Hopkins confirmed that their thinking was at a more general stage – looking at broad considerations about new crematoria, rather than any more detailed planning criteria.

Mark also noted that the CPG had covered the issue of reuse of burial space and asked what discussions the Commission might be having with Welsh Government on that topic, given the sensitivities.

Eleanor Hunt added if it might be sensible to have separate rules of grave reuse for the graves of children.

Nick Hopkins replied that they are conscious of how sensitive an issue it is and will use the forthcoming consultation paper to secure as many views as possible.

**Action:** Letter to be sent to Welsh Government setting out the work the CPG had done on the reuse of graves.

Andrew Judd for the NAFD said that the funeral profession is keen to see a flexible but robust framework. He asked that while it shouldn't stifle innovation, it was important that anyone who is involved in the disposal of deceased people is specifically regulated.

Philip Blatchly made comments on length of burial rights, noting that 50 years was too short for certain types of grounds given the impact that very dry grounds compared to wet grounds can have on decomposition. He welcomed the investigation into the return of cremated remains saying that he had 610 sets of remains within his business that remained uncollected.

**Update: Legacy Independent Funeral Directors police investigation and implications for the regulation of funeral directors in England, Wales and Northern Ireland**

Andrew Judd, Chief Executive of the NAFD and Terry Tennens, Chief Executive of SAIF provided an update on the implications of the police investigation into Legacy Independent Funeral Directors in Hull and East Riding on the regulation of funeral firms.

Terry Tennens said that what was needed was a mature and focused regulation model, important Government don't use a sledgehammer to crack a nut.

In the discussion which followed, Ahmed Alsisi noted that he was invited to contribute to the work to develop the Funeral Director Code, even though he was not an NAFD member and that he was worried that community-based funerals used faith to push families away from funeral directors and whether this could be a problem in the future.

Terry Tennens noted that direct cremation providers use mortuaries at taxpayer's expense and highlighted the importance of having an alternative dispute resolution provider (ADR) such as SAIF's Professional Standards committee.

Altaf Hussain MS added that the coverage from the whole investigation had been hard to watch and that there were lots of lessons to be learned; saying that he feels it is time for a licensing authority.

Eleanor Hunt noted that she spoke to both SAIF and the NAFD as a new entrant to the sector and they were both very supportive and gave her good advice. However, she said it was sometimes confusing where responsibilities lay, such as the correct regulations for the development of new products, versus individual opinion. She felt that clarity was needed as she wants to be correct and do the right thing, but it can be challenging to locate empirical information.

Rachel Bradburne updated on the Ministry of Justice review of self-regulatory regimes, noting that the NAFD had made a very lengthy submission to the UK government and would like to see the same standards for funeral directors applied across the board.

Terry Tennens suggested that the Group contact the Welsh and Northern Ireland governments, to make sure this issue is on their agenda.

**Action:** Deborah to draft letters

**Update: The Statutory implementation of Medical Examiners in England and Wales**

With only a few weeks to go, In early March, the Ministry of Justice had announced that the statutory Medical Examiner System will not come into force in the first half of April, in England and Wales, as previously announced.

Rachel Bradburne, Policy Director for the NAFD, advised that there was little to update, noting that the scheme will not be fully operational in the first half of April as promised. The funeral sector is eagerly awaiting a statement from DHSC Minister Maria Caulfield on exact timings and further details once the regulations are laid in Parliament.

### **Any Other Business**

Ahmed Alsi asked for an update on the prospect of virtual post-mortems being available in Wales. Deborah Smith confirmed that the letter to the First Minister had not yet gone but would do shortly.

**Action:** Deborah Smith to finalise and send letter.

### **Dates for future meetings**

Mark Isherwood noted that the group is next due to meet in late June/early July and this meeting will also include the Group's Annual General Meeting for 2023/24.

The Group also intends to meet in the Autumn – in October and Deborah noted that they are exploring plans for a second joint meeting with Hospice and Palliative Care colleagues, having had such a productive discussion at the last meeting.