[ADDRESS]

[DATE]

[NAME]

House of Commons

London

SW1A 0AA

**Objection to Schedule 27 of the Coronavirus Bill 2019-2021 and cremation of deceased Muslims**

I write to you as your constituent to express my deep concerns and strong objection to the proposed adoption into law by Parliament of Sections 5(a), 6(1) and 6(3) of Part 1, Schedule 27 of the Coronavirus Bill 2019-2021.

The effect of Sections 5(a), 6(1) and 6(3) of Part 1, Schedule 27 of the Coronavirus Bill 2019-2021 is to give local authorities unprecedented and unlimited power to intervene in the storage, transportation or disposal of a dead body, and to overrule the wishes of the friends and family members of a deceased individual where the local authority unilaterally takes the view that burial would not be a suitable disposal of the body, requiring it instead to be cremated.

Burial and cremation issues impact all communities and by their nature are very sensitive and emotive issues. There has been extensive alarm raised in Muslim communities across the UK regarding potential cremation against individual or their next of kin wishes. We appreciate that these are matters not thought of lightly and guided by the NHS Ethics Committee.

We stand behind the Government's efforts to tackle the current unprecedented public health and economic crisis, as well as the need for emergency legislation and measures to fight this potentially deadly disease. However, we can see no reason, at this stage, to extend the power of local authorities to intervene in core religious beliefs and practices, and in particular in religious burial procedures and rituals.

There is no evidence to support the Government’s assessment described in the Explanatory Notes to the Coronavirus Bill 2019-2021 that any excess deaths caused by covid-19 will i) lead to an excess number of bodies requiring burial; and (ii) this will overwhelm the system such that this justifies the adoption of Sections 5(a), 6(1) and 6(3) of Part 1, Schedule 27 of the Coronavirus Bill 2019-2021 into law.

Referring to the report published by Imperial College London *(Impact of non-pharmaceutical interventions (NPIs) to reduce COVID- 19 mortality and healthcare demand)*the model predicts 20,000 deaths given the current measures the government has taken. <https://www.imperial.ac.uk/media/imperial-college/medicine/sph/ide/gida-fellowships/Imperial-College-COVID19-NPI-modelling-16-03-2020.pdf>

Statistically, given that the muslim population is 4.4% of the population in the country, the estimated muslim deaths would be 880. Given that 140,000 people are buried every year in the UK the additional deaths of 880 posed in this model should not overwhelm the system as discussed above.

We also highlight that these Sections of the Bill may constitute a breach of Article 9(1) of the Human Rights Act 1998 that recognises the sanctity of, and safeguards, individuals' freedom of thought, conscience and religion. Whilst it is accepted that Article 9(1) can be restricted to the extent necessary in a democratic society and where it is proportionate, and is aimed at achieving one of the legitimate aims identified in Article 9(2) namely for the protection of public order, health or morals, or for the protection of the rights and freedoms of others, the Government has not demonstrated grounds to exercise its power under Article 9(2).

Such powers, if absolutely necessary, could be introduced later via Secondary Legislation. If these circumstances arise, we propose that the Secondary Legislation requires Local Authorities to give 48 hours notification to enable families, friends and/or their local communities for support to help deliver burial. This will, in the main, be about the provision of body storage before burial or cremation can take place. We know the Home Office, on behalf of Government, prepared body storage guidance for the medium and worst case planning assumptions of 750,000 deaths in 12 weeks.

I am aware that the Coronavirus Bill 2019-2021 will have its second reading in the House of Commons on Monday 23rd March. I appeal to you as my political representative in Parliament to further consider the Sections of the Bill detailed in this letter, and included in the Appendix for your reference, in order to protect individuals and minority communities from the additional anguish resulting from the dismissal of both their deeply held religious beliefs and those of the deceased.

Please accept my appreciation in advance.

Yours Sincerely,

[NAME]

APPENDIX

Section 5(a) of Part 1, Schedule 27 of the Coronavirus Bill 2019-2020:

"*Disapplication of legislation relating to deceased's wishes*

*5 The following do not apply to a designated local authority—*

1. *section 46(3) of the Public Health (Control of Disease) Act 1984 (local
authority not to cause body to be cremated under that section
contrary to the wishes of the deceased);*"

“*Directions to do things calculated to facilitate dealing with dead bodies etc*

*6(1) A designated local authority may give a direction requiring a person to do
anything calculated to facilitate the transportation, storage or disposal of
dead bodies or other human remains in the local authority’s area or from its
area.*”

“*(3) A direction under this paragraph may, in particular—*

 *…..*

1. *make provision about how or where a person is to bury or cremate a
dead body or other human remains;*”

Section 46(3) of the Public Health (Control of Disease) Act 1984:

*"(3) An authority shall not cause a body to be cremated under subsection (1) or (2) above where they have reason to believe that cremation would be contrary to the wishes of the deceased.*"

The explanatory note to Section 5(a) of Part 1, Schedule 27 of the Coronavirus Bill 2019-2020:

*"97 The Bill introduces powers of direction to give local authorities the necessary powers to direct those in the death management system to ensure excess deaths caused by covid-19 do not overwhelm the system. National and local authorities across the UK will have, where necessary, additional powers to direct organisations to support the death management processes. This will ensure that deceased bodies can be stored, transported and disposed of with care and respect."*

Article 9, Human Rights Act 1998

Freedom of thought, conscience and religion

"*1 Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.*

1. *Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.*"