



**WRITTEN EVIDENCE TO  
HOME AFFAIRS SELECT COMMITTEE INQUIRY  
ON SHARIAH COUNCILS  
November 2016**

**Introduction**

1. Muslim Women's Network UK (MWN UK) is a national Muslim women's organisation in Britain ([www.mwnuk.co.uk](http://www.mwnuk.co.uk)). We are a small national charity (no. 1155092) that works to improve the social justice and equality for Muslim women and girls. Our membership also includes women of other faiths or of no faith, as well as men who support our work. Our Muslim female members are diverse in terms of age, profession, ethnicity, religious sect, location and are from across the religious spectrum and lifestyle choices. We find out about the experiences of Muslim women and girls through research and helpline enquiries. We identify policy and practice gaps and use this information to inform decision makers in government as well as informing our community campaigns at a grassroots level.
2. We also develop resources and train women so they are better aware of their rights. We have a separate website for our national helpline ([www.mwnhelpline.co.uk](http://www.mwnhelpline.co.uk)) that provides advice and support on a range of issues some of which include: domestic abuse, forced marriage, honour based violence, sexual abuse, divorce, discrimination and mental health etc.
3. The impact of our work is particularly felt in reducing the vulnerability of Muslim women and girls, reducing the prejudice they face, and giving them a greater access to rights and services – all of which allow them to contribute to society like any other citizen. We are also creating a critical mass of voices to influence change with more women being confident to challenge discriminatory practices within their communities and in society and to influence policy makers.

## Summary

4. We are concerned that the inquiry only focuses on the discrimination of Muslim women by Shariah Councils. Given that most of the cases that they deal with are related to shariah divorce, then other shariah divorce services should also be considered e.g. those operated by mosques or individual scholars and imams.
5. Abolishing Shariah Councils will not resolve the discrimination Muslim women face and will instead make matters worse. Although most people mean well when they make this recommendation and think they are helping Muslim women, a minority are anti faith or anti Islam and are using women's rights as a guise to further their political agendas. The reality however is that abolishing Shariah Councils will only result in pushing the shariah divorce service underground with more mosques and individual scholars setting up services. This is likely to mean more women trapped in abusive marriages, less transparency, more discrimination and higher fees.
6. Muslim women must be at the forefront of informing the solutions that work for them. Their voices can already be heard in the most comprehensive report on Muslim marriage and divorce in Britain, which we at the Muslim Women's Network UK published earlier this year (Gohir, 2016). The report provides information on the challenges Muslim women face and what steps they can take to protect their rights, including recommendations on how shariah councils can raise their standards and what the government can do to strengthen civil law.
7. In an unprecedented move, a letter has been signed by over 100 Muslim women (see Appendix 1) from across the religious spectrum from 34 towns and cities and includes lawyers, health professionals, academics, community activists and others from a range of other professions as well as students and homemakers. Two thirds of the signatories know someone (e.g. family, friend or client) that have used a shariah divorce service, 25% have used one themselves and others want the option should they need it. Despite sometimes-traumatic experiences, most Muslim women do not want Shariah Councils to be shut down and instead want them to raise their standards and apply fair and equitable practices. They also want the government to ensure there is accountability and strengthen civil law so Muslim women are less reliant on Shariah Councils for divorce, which would make most of them naturally redundant in the future anyway.
8. The Government should introduce changes that include making a civil marriage compulsory prior to a religious marriage, as not all Muslim women are in legally recognised marriages. In most cases a civil divorce can then be recognised as an Islamic divorce, but this would need to be supported by an educational campaign. Making a civil marriage compulsory could also reduce and eventually eliminate polygamy. Further, the [Divorce \(Religious Marriages\) Act 2002](#) should be amended so that it includes Muslim women as it currently only applies to Jewish women.
9. If these solutions put forward by Muslim women are implemented, then Muslim women will increasingly use the British justice system at their own pace for divorce and become less reliant on shariah councils, making most of them naturally redundant in the future anyway.

## **The services offered by Shariah councils and the reasons for why they are used**

10. Shariah Councils are unofficial Islamic bodies that provide advice and assistance on family law matters within Muslim communities and are heavily influenced by the geographical localities of their countries of origin. Most will follow the juristic traditions of the Hanafi school of thought because the overwhelming majority of Muslims in Britain are of Pakistani, Bangladeshi and of Indian origin. However, the practices at each Shariah Council will vary according to its differing understandings of Islamic law (Sardar Ali 2013 : Page 13). Most scholars would have received their training from abroad and the quality and the nature of their advice will therefore vary depending on this training, culture and schools of Islamic thought.
11. Shariah Councils have three key functions, issuing Muslim divorce certificates, reconciling and mediating between parties and producing expert opinion reports on matters of Muslim family and custom to the Muslim community (Bano, 2012a: Page 84). However, they primarily deal with Muslim divorce, issuing Muslim women with Muslim divorce certificates on occasions where Muslim husbands may fail to issue Muslim women with the unilateral Muslim divorce, *talaq* (Bano, 2012b). For example, 95% of correspondence received by the Islamic Sharia Council to date has related to matrimonial problems faced by Muslims in the UK (Douglas, et al., 2011: Page 29).
12. Once women have the courage to end their marriage they may wish to involve a religious authority to obtain their divorce. Even after obtaining a divorce under civil law (if applicable), Muslim women may also want the reassurance of an Islamically pronounced divorce. In Muslim countries, the religious authority would be the Islamic court but in the West, where Muslims are living as minorities, women must approach institutions or individuals that they recognise as a religious authority (e.g. mosque, Shariah Council, scholar or *imam*). They are usually paid a fee in return for assistance. However, women's experiences show that the service they receive varies according to culture or cultural affiliation, school of thought, religious sect and personal prejudices of the individuals who deal with their cases.
13. Most Shariah Councils do not operate an arbitration service under the Arbitration Act 1996. Instead they offer services through mediation, which is an unofficial form of Alternative Dispute Resolution (ADR). This means their decisions regarding disputes between parties are not and cannot be made legally binding. They rely on the good will of both parties to follow their decisions. In fact the Arbitration Act 1996, which has been commonly associated with Shariah Councils due to Baroness Cox's Arbitration and Mediation Services (Equality) Bill is largely used for commercial purposes because it is cheaper and more flexible than full legal proceedings (Douglas et al., 2011: Page 19).
14. There is a lack of transparency and accountability. Unlike mosques, Shariah Councils may not be registered charities and are therefore not obliged to reveal their organisational structure and financial status (Bano, 2012a). The structure of Shariah Councils is therefore usually not transparent. Those that have websites reveal little, if any, information about who is involved in the decision-making of divorce cases. Details about how many people will be involved is not given either. This lack of

transparency is problematic. For example, Muslim women have contacted MWNUK and informed us that they had approached a Shariah Council because they wanted a divorce from a violent husband to then find out that the scholar dealing with the case was one who thought domestic violence and 'wife beating' was acceptable. If more information was available, then women could make informed choices about who to approach for help.

15. Due to the lack of accountability of Shariah Councils and mosques in matters relating to divorce, Muslim women will continue to be discriminated against. Incompetent advice can also put women and children at risk of harm. Whether mosques and Shariah Councils are registered charities or not, they are providing a service to the Muslim public and should be held accountable.

### **The extent to which Sharia law is compatible with the principles of British law**

16. Shariah or Islamic law can be a combination of God's law (as outlined in the Quran), records of Prophet Muhammad's (pbuh) words and actions (as outlined in the hadith) and man derived jurisprudence using various methodologies. The Shariah law details moral, ethical, social codes that should provide justice, mercy and benefit and therefore can be compatible with British values and law.
17. However, Muslim women can receive varying advice depending on how rulings in Islam are interpreted which can be influenced by culture, tradition and personal prejudices of religious scholars etc. This can and has resulted in injustice and discrimination. It is therefore essential that mechanisms are implemented to ensure Shariah Councils (and mosques and individual scholars) practice the many provisions in Islam that allow women to obtain a religious divorce quickly, without duress and discrimination.

### **The extent to which Sharia councils might discriminate against women**

18. Although some women have positive experiences and are helped swiftly, many others have highlighted how they have been discriminated against. A number of barriers can be put up to delay or prevent divorce. This can range from blaming women for the marriage breakdown and making women feel guilty for wanting a divorce to pressuring them into mediation, which is usually through family members or *imams* / scholars at the religious institution and not through qualified and accredited mediators. Some women are also made to incorrectly believe that they cannot leave their marriage unless the husband agrees to a divorce; it is clear in Islamic jurisprudence, either a man or woman can initiate a divorce. This sometimes results in women remaining in unhappy and abusive marriages. These experiences often leave women traumatised, and can negatively affect any children involved.
19. Unfortunately some shariah divorce services use the incorrect method of Islamic divorce – They sometimes confuse the *Khula* divorce with another one called *faskh*. In a *faskh* divorce the wife seeks permission to get divorced because the husband is at fault but the husband does not consent to the divorce. However, the religious

authority (e.g. religious scholar, imam, Shariah Council, mosque etc) may substitute their own permission for that of the husband. Religious authorities in the UK sometimes often refer to this type of divorce (incorrectly) as khula. With a faskh divorce, the wife does not have to repay her husband the marriage gift. In fact if it is still owed to her, then the husband must pay it to her. When scholars confuse this type of divorce with the one known as khula, (no fault divorce) where the wife may have to return her marriage gift (mahr), it means woman sometimes having to pay a financial compensation to free themselves, which amounts to discrimination.

20. Examples of discrimination include (Gohir, 2016).

- Putting women through the trauma of another divorce process even if they have a civil divorce
- Pressure to mediate including for victims of domestic abuse
- Greater weight given to the husband's accounts for reasons for divorce
- Women not asked questions in an impartial manner, some of the questioning can include making women feel guilty for wanting a divorce, blaming her for the marriage breakdown,
- Marital rape not being recognised as rape.
- Demanding evidence of abuse even if it is not possible to provide this
- Unnecessary requirement to repay marriage gift (*mahr*)

### **The costs involved with using Sharia councils**

21. Fees for a religious divorce varies. Some charge women more than men. They justify this on the grounds that the process is longer when a woman initiates a divorce, despite the fact that the procedure they follow should be the same irrespective of whether a man or a woman has approached them i.e. if they want to suggest mediation or pursue a case review meeting this should be done irrespective of who has approached them. However, in cases where the civil divorce has been obtained which the husband has initiated or agreed to, the Islamic divorce is technically not needed therefore has to be granted anyway. As the process should be quick and straightforward, charging higher fees is unjustified. Also women on low income and benefits or living in refuges sometimes cannot afford to pay the fees. As the divorce service is not free, there is certain criteria that need to be complied with for registered charities with regards to generating income.

22. It would be fairer to have a tiered fee system and charging women who have obtained a civil divorce first or are on benefits / low income, a lower fee and waiving fees for those escaping abuse (including forced marriages) who are in refuges. Registered charities should also consider how income / profit generated from divorce services fulfil primary charitable purposes and are not disadvantaging beneficiaries in any way. Waiving fees for the poor and vulnerable could help fulfil duties in relation to operating for the public benefit.

## **The relationship between Sharia councils and the British legal system**

### Arbitration Act 1996

23. The Muslim Arbitration Tribunal (MAT), which established itself in 2007, does operate under the Arbitration Act 1996. This means that the MAT can resolve disputes according to Muslim Personal Law, which can then be enforced by civil courts provided that the civil courts agree that any decisions have been reached in accordance with the legal principles of the UK civil system (for example, that there was no duress or mis-information involved). Women's groups have raised concerns that any MAT decisions that discriminate against women can be legally binding. Although both parties must agree that the MAT arbitrate on their dispute, unequal power relations may result in women being coerced into accepting decisions that are less favourable for them, which can then become binding in law. However, civil courts will not enforce agreements made under duress or that are not in line with the principles of the laws in the UK e.g. those that potentially cause injustice. This will provide some safeguarding against any rulings that discriminate against women.
24. So although the MAT appears to have more power than unofficial dispute resolution bodies, its power is limited to the civil courts willingness to enforce MAT rulings. The likelihood however is that most Muslim women who use the MAT may be unaware of these safeguards and if they have made an agreement, which they later realise is unfair, they may feel they cannot take any action and are bound by their decision. For example, it has allegedly dealt with domestic violence cases where they have instructed husbands to have anger management classes and community mentoring, which resulted in the women withdrawing their complaints to the police (Bano , 2012a: Page 241). The question that arises is that once the complaints were withdrawn, did the husbands fulfil their requirements and if they did not, what happened next? For example, were women subjected to further domestic violence and if they were, what further decisions did the MAT take? Did they encourage reporting to the police or continued to advice on anger management classes?
25. Recently District Judge Shamim Qureshi, who sits at Bristol Crown Court, received permission from the Judicial Office to double as a presiding judge at the Muslim Arbitration Tribunal (MAT) in his voluntary time (Gilligan 2016). This is the first case of its kind. This could be an attempt by the MAT to raise its standards to ensure their rulings do not undermine civil law. However, using an expert from the British judicial system does not in itself guarantee that women will not be discriminated against because Mr. Qureshi's rulings will be based on Islamic interpretations that he ascribes to, which may not necessarily be egalitarian. His appointment could also cause confusion and women may believe that any decisions they deem unfair cannot be further challenged due to Mr. Qureshi's expertise in civil law. Only time will tell whether this appointment will improve the treatment of women and result in fairer decisions.
26. One solution could be to get Shariah Councils and others who operate shariah divorce services to sign up to good practice standards. However, if they are not going to be held accountable, then they are unlikely to bother signing up to them or implementing them if they do decide to sign up. This tactic is therefore likely to have little impact and legislative action is instead perhaps necessary to address the

discrimination faced by Muslim women. Perhaps a test case for unlawful discrimination based on gender, brought under the Equalities Act 2010, could pressure them into improving practice. The Equality Act protects people from discrimination on the basis of certain characteristics. These are known as protected characteristics and include gender.

### Regarding Civil Divorce as an Islamic Divorce

27. Many Islamic scholars and *imams* in Britain routinely state that a civil divorce is not a valid Islamic divorce and that a woman who has had a civil divorce is still Islamically married until she is issued with an Islamic divorce certificate by a religious authority. However, this position is questionable because a Muslim majority country such as Pakistan will recognise a civil divorce obtained in a British court as Islamically and legally valid. However, an Islamic divorce obtained in a UK Shariah Council or mosque will not be legally recognised. The position taken on this issue by British religious scholars may be a cultural decision to maintain their authority and therefore a need for their services.
28. However, some religious scholars have stated that Muslims living as minorities in a country can have their marriages dissolved by a non-Muslim judge and therefore civil divorces can be regarded as valid Islamic divorces. Some specify that only certain types of civil divorces are valid in Islam. For example Mufti Muhammad Ibn Adam of Darul Iftaa, Leicester (Ibn Adam) states the following, to which Mufti Muhammad Yusuf Danka (Croydon Masjid & Islamic Centre) is also in agreement with (Danka).
  - If the husband initiated the legal divorce, in that he appointed the court as an agent on his behalf to divorce his wife, then on the day the court issues the divorce, his wife will be also Islamically divorced. The reason being that the husband appointed the court as an agent on his behalf to divorce his wife, and appointing a non-Muslim as an agent is considered to be valid in shariah and there is no need to involve an Islamic religious body.
  - If the wife initiated the legal divorce and the court sent the divorce papers to the husband, and he willingly, understanding the contents of the writing, signed it, then his wife will be considered to be divorced from the time he signs the divorce papers from an Islamic perspective. This means there is there is no need to involve an Islamic religious body.
  - However, if he did not sign on any written document, neither did he initiate the divorce, but the court divorced him on behalf of his wife against his will, then this, according to shariah, will not be classed as a valid divorce and the involvement of a mosque or Shariah Council will be required.

### **Comparisons between Sharia councils and similar institutions for other faiths**

29. We are concerned that only religious institutions in Muslim communities are subject to not one but two inquiries. Other faiths in the UK use similar systems without

such scrutiny. In light of the current inquiries, the government should do a full-scale evaluation of how faith operates and whether all of them align with the wider British values. It may be that such an evaluation would allow a system to be put in place that can be fairly and equitably applied to all in UK and would also allow better monitoring of practices and standards.

## **The role that Government**

30. The UK has an obligation under an international agreement that it has signed to prevent discrimination against women in marriage and divorce. The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) is an international treaty adopted in 1979 by the United Nations. States ratifying the Convention are required to enshrine gender equality into their domestic legislation and enact new provisions to guard against discrimination against women. It is also known as an international bill of rights for women and consists of 30 articles. Article 16 requires measures to eliminate discrimination against women in all matters relating to marriage and divorce. In 2013, the CEDAW committee went further and issued a recommendation that all member states adopt legislation to eliminate the discriminatory aspects of family law regimes, whether civil code, religious law, ethnic custom, or any combination of laws and practices that regulates them.
31. One recommendation (no. 28) says that state parties should take all legislative and policy measures to abolish polygamous marriages. Another recommendation (no.26), says that state parties should establish a legal requirement of marriage registration and conduct effective awareness-raising activities to that effect (OHCHR 2013). By accepting CEDAW, the UK has committed itself to undertake measures to end discrimination against women and must submit a national report to the Committee at least every four years indicating the measures that have been adopted to give effect to the provisions of the Convention.
32. It is clear that Muslim women are extremely vulnerable to discrimination on matters of marriage and divorce and the UK government should intervene and provide mechanisms to safeguard them. The government's role should not be limited to overseeing or monitoring of Shariah Councils. A number of solutions, if implemented collectively, could help end the discrimination faced by Muslim women over the long term.
33. One solution could include making civil marriage compulsory prior to religious marriages and anyone conducting a religious marriage without evidence of a civil marriage could be fined. Without a valid marriage, many Muslim men are able to evade any responsibility for maintaining their wives and are able to expel them from the matrimonial home at will. They are also able to avoid the financial obligations of divorce, leaving divorced wives with little financial security despite their financial and non-financial contributions towards the marriage. Unregistered marriages also facilitate an increase in polygamy, which impacts negatively on the rights of women and children. Also Muslim women who have only had the religious marriages are most reliant on Shariah divorce services.

34. Another solution could include amending the Divorce (Religious Marriages) Act 2002. This would remedy the unbalanced bargaining power of the husband in some divorce cases where there is pressure to agree to unfair custodial and financial demands during the civil divorce in return for not contesting a religious divorce. The judge would be able to withhold finalising the civil divorce until the woman receives her religious divorce from the husband. This could also mean lower religious divorce fees and a speedy Islamic divorce process without it being contested. Muslim Women's Network UK wrote to the Lord Chancellor on 6<sup>th</sup> July 2015 making this request (see Appendix 2 for copy of the letter). We now plan to write to the new Lord Chancellor making this request again.

## **REFUTATION OF MISINFORMATION PROPELLED BY SOME ACTIVISTS**

35. Misinformation - Shariah bodies are parallel legal systems that are set up as courts. - Shariah bodies and refer to themselves as councils and not courts. Muslim communities also generally use the term council. The media and also secular groups have popularized the term court. Shariah Councils are not parallel legal systems because their decisions are not legally binding and are accepted on a voluntary basis. To suggest otherwise can actually contribute to the harm caused to Muslim women because they would be under the mistaken belief that they are approaching a legally recognised court service, even though this is far from the truth.
36. Misinformation - That Sharia councils grew due to an Islamist agenda in the 1980s and are connected with transnational Islamist groups to promote their agendas - Some groups are deliberately and incorrectly conflating the problems with misogyny and patriarchy at Shariah Councils with religious fundamentalism, extremism and Islamism without evidence. Shariah Councils emerged due to a demand and a need for a divorce service. Muslim communities generally arrived in the UK in the 1950s, 60s and 70s. As communities settled and had children who themselves who then got married, a need for a marriage and divorce service emerged. Prior to their existence, Shariah Councils evolved from mosques because the *imam* (in addition to his other duties such as leading prayers and provide religious advice) was also settling marital disputes and issuing divorce certificates. Over time separate bodies known as Shariah Councils were set up to resolve family disputes.
37. Misinformation – Most Muslim women are pressured into going to use the services of the Shariah Council – Although some women may be pressured, according to our membership, the partners we work with and calls we receive on our helpline, the vast majority of Muslim women are using the services on a voluntary basis so they can also feel divorced in accordance with their faith.

## **PROBLEMS WITH PROPOSED SOLUTION BY OTHERS**

### Abolishing Shariah Councils

38. Abolishing Shariah Councils will not mean that suddenly Muslim women will stop wanting a religious divorce. This will therefore lead to Muslim women being

trapped in abusive marriages and drive the shariah divorce service underground with less transparency, higher fees and more discrimination.

### The British Civil Courts Pronouncing Religious Divorce

39. This solution still requires the woman to obtain a religious divorce even if it is through the British civil courts and also needs community 'buy in.' Our solution of a compulsory civil marriage prior to any religious marriage accompanied by a debate with scholars and a campaign to recognise civil divorce as an Islamic divorce, will do away the need for a religious divorce over the longer term.

### Legally Recognising Religious Marriages such as Islamic Marriage

40. Some campaigners in the Muslim community are advocating for a reform of the Marriage Act 1949, which at present only recognises Church of England, Jewish and Quaker marriages. They want Muslim marriages recognised under the law so an additional civil marriage is no longer required. However, whilst this strategy will assist some Muslim women, it would still leave many other Muslim women vulnerable and could create other problems.
41. As Islam allows polygamy, having more than one legally recognised marriage would conflict with laws in the UK because bigamy is illegal. In cases of polygamy, which Muslim marriage would be recognised under the law? Even if the husband's first marriage was recognised, how about his second wife? Her marriage would not be recognised, but it would be her only marriage and she may have been unaware that she had entered into a polygamous union. Also this does not prevent Muslim men from entering into one officially recognised Muslim marriage and then going through additional secret marriages without even having any paper work attached to them to avoid being prosecuted for bigamy. Those who wish to safeguard their financial interests and also have the Islamic blessing (to comply with religious obligations), may also find ways to have unofficial religious ceremonies to avoid them being recognised by the law.

### Baroness Cox's Proposed Arbitration and Mediation Services (Equality) Bill

42. Baroness Cox, a cross bench member of the House of Lords has been trying to get her Arbitration and Mediation Services (Equality) Bill to become law. She first introduced her private Peer's bill in 2012 and the House of Lords gave it a second reading on 19th October 2015 (Parliament, 2015). Although the bill does not specifically mention Shariah Councils, it is clear that they are the primary focus. While it is commendable that Baroness Cox wants to address the inequality faced by Muslim women when they use the services of Shariah Councils, her measures do not sufficiently address the concerns she raises. Sufficient redress is available under existing legislation and any law reform should be on marriage and divorce.
43. The proposed Bill will have very little (if any) effect on Shariah Councils because the vast majority do not operate under the Arbitration Act 1996 because they do not provide official arbitration / mediation services as such (Douglas G, et al., 2011). An exception to the rule such as the Muslim Arbitration Tribunal, which does operate under the Arbitration Act, admits even most of its work falls outside the remit of the

Act (Cranmer 2012). The odd religious body that may be providing an alternative dispute resolution service under the Arbitration Act and in accordance with religious law, can have their decisions reviewed and over ruled by the civil courts anyway. For the vast majority of the Shariah Councils, which do not operate under the Act, their decisions are not legally binding. However, as they are providing a divorce service (even though it is to a section of the public), they should be complying with discrimination legislation such as the Equality Act, which probably needs better clarification.

44. The underlying problem that makes Muslim women heavily reliant on Shariah Councils is that too many are in unregistered marriages where they have had the religious ceremony by not a civil marriage, making the marriage invalid under UK law. Baroness Cox's bill will not help these women. She also alleges that some Shariah Councils are acting outside their legal remit, including criminal matters and wants those claiming legal jurisdiction falsely to be held to account by ensuring it is a criminal offence. She has not provided sufficient evidence that this is common practice. Since 2008, Muslim Women's Network UK has been receiving complaints from women about their treatment by Shariah Councils and none have made allegations on such matters. We therefore do not think that new legislation will prevent a tiny minority of rogue religious scholars from getting involved with matters outside of their remit.
45. In her speech in the House of Lords Baroness Cox made a point of listing a number of case studies of the treatment of Muslim to garner sympathy and support for her bill. However, her examples were misleading because her bill does not address the issues she raised. For example, she cites story of Roma who was unilaterally divorced by her husband just by sending her a piece of paper with the words "I divorce you" on it three times. What practical difference will the bill make to women like Roma? In another examples she said a 63-year-old man wanted his 23-year-old wife to undergo a hymen repair surgery. The extremism card was also used during her speech and an unsubstantiated claim made that men in polygamous marriages are having up to 20 children who are then vulnerable to extremism. She then went on to provide examples of gender discrimination by tribunals that operate under the Arbitration Act that she wants addressed such as men being able to marry four wives and women's unequal access to divorce. How will the bill address any of these concerns? She also talked about inheritance – however, according to UK law, all citizens are free to divide their assets according to their own wishes and people including non Muslims do not always leave equal shares to their children so this cannot be enforced on Muslims only.
46. Finally, it is interesting to note that Baroness Cox does not have the support of most key respected Muslim women's organisations which are also concerned by the way women are treated by Shariah Councils as they regularly have to support such women. Like others, we at Muslim Women's Network UK were supportive, in principle, of Baroness Cox's ideas to address the inequality faced by Muslim women when she first started discussing her bill in 2011. However, since seeing the details of her bill in 2012, we (like many others) have withdrawn our support for it.

47. Baroness Cox says she has widespread support from Muslim communities and routinely cites two examples, Raheel Raza (President of Council of Muslims Facing Tomorrow) and academic Elham Manea. However, she fails to mention that the former is from Canada and the latter is from Switzerland. The fact that she needs to cite names from abroad is evidence of the lack of widespread support for her Bill from Muslim women in Britain.

## **OUR SOLUTIONS - SUMMARY KEY RECOMMENDATIONS**

48. It is important that Muslim women are at the heart of the solutions because any changes in law or practice will affect them. As the solutions must work for them, they must play a key part in informing the solutions. It is for this reason their voices and suggestions must be prioritised. There will be many individuals and groups suggesting they are the most representative of what Muslim women want. However, we urge the Home Affairs Select Committee to verify such claims and not just take them at face value. For example, are these groups only representing the view of secular Muslim women only or religiously conservative Muslim women only? It is important that views of Muslim women across the religious spectrum are considered so that any solutions implemented are truly fit for purpose. Although no one group can claim to represent all Muslim women in Britain today, we feel at Muslim Women's Network UK, we are likely to be the most representative given our membership is diverse in terms of ethnicity, age, location, profession, religious spectrum (from secular to conservative), dress (covering to non covering) and different lifestyles choices such as identifying as LGBT. This diversity is also reflected in the callers to our helpline and the 100 Muslim women who signed our open letter.

49. To address the gender inequality faced by Muslim women in Britain in matters related to marriage and divorce, a multi-pronged approach is required that encompasses a range of solutions to ensure as many Muslim women as possible are protected from gender discrimination.

50. Muslim women need the government and religious representatives (whether they are mosques, Shariah Councils or individual scholars) to take measures to eliminate discrimination against women in all matters relating to marriage and divorce. It is not just sufficient to tackle the discrimination during the divorce process but also tackle the root causes to the problems identified, which occur at the time of marriage.

### Shariah Marriage and Divorce Services

51. As Shariah Councils, mosques and individual scholars are providing a service to the Muslim public, they should be held accountable. This could include signing up to a Code of Practice that raises their standards and examples of what should be included are listed below. However, the inquiries will need to find a way to ensure there is compliance.

- Delegated Right to Divorce – At the time of marriage, a condition should be included to the marriage contract that gives the woman the ‘delegated right to divorce’ (*talaq-e-tafwid*).
- Requirement of Civil Divorce First – Require that a civil divorce is obtained first so that undue influence is not exerted by the husband for a better financial settlement in exchange for not contesting the Islamic divorce.
- Recognition of a Civil Divorce as an Islamic Divorce – A civil divorce (where applicable) should be recognised as a religious divorce and the woman should not be put through the trauma of another divorce process. If a woman wants the Islamic stamp of approval anyway then she should be charged a lower fee to produce a certificate.
- Involvement of Women – The caseworker collecting the initial information should be a woman and the decision making panel should also include women.
- Transparency of the Service – All decision making panellists should be listed on their websites and there should be a complaints procedure, which the clients should be made aware of and displayed on the website.
- Using Correct Method for Divorce – If the husband is at fault then use the faskh method for divorce and not use the khula method of divorce.
- Being Impartial – Opinions should not be based on stereotypes, assumptions and prejudices but facts, which should also include considering emotional abuse as physical abuse may not be a feature in the case. They should not give opinions and instead seek to guide and give options rather than judge. As good practice, they should also give detailed reasons, in writing, for their decisions, which mean they would have to explain their decisions and be subject to scrutiny, which in turn may forced them to treat women more equitably.
- Equal testimonies – Equal attention and consideration should be given to testimonies from the husband and wife. Evidence of grievances should also be taken into account. For example, in cases of domestic violence, medical records, police reports and legal notices banning harassment must be included in the decision. Unreasonable demands should not be made for women to prove domestic violence, as women cannot always provide such as evidence particularly with regards to emotional abuse. In fact according to Islamic principles a women’s testimony that she no longer wants to stay in the marriage or has been abused should be sufficient.
- Mediation – Women should not be pressured into mediation and should not be panellists and all care should be taken to ensure they are impartial. Trained mediators should be used.
- Safeguarding - Safeguarding policy and procedures should be put in place and should include the wife not being required to attend any application, interview or hearing in the presence of her husband (or his family/friends/supporters) if she does not want to and especially in cases where there has been domestic abuse.

Women should also be protected from being pressurised by husbands for a more favourable civil divorce settlement in exchange for a religious divorce.

- Divorce Fees - Have a tiered fee system and charge women who have obtained a civil divorce first or are on benefits / low income, a lower fee and waiving fees for those escaping abuse (including forced marriages) who are in refuge or can be regarded as homeless

## Government

52. Accountability of Shariah Councils - The government can play a role in ensuring Shariah Councils and other shariah divorce services are accountable. This can include working with them and women's groups to determine of a code of ethics and introducing a bench marking system.
53. Applying Existing Legislation – The Equality Act applies to public, private and voluntary sectors in the workplace and in delivering services. Despite some exemptions, the Act also applies to religious and belief organisations. As Shariah Councils deliver a service to the Muslim public and their practices do not fall under the exemption criteria, they should be held accountable under this legislation if they are discriminating against women due to their gender. The Charity Commission should also ensure Shariah Councils and mosques which are registered as charities and are delivering religious divorce services, are complying with the Equality Act 2010 and also ensuring their beneficiaries (who will be mostly Muslim women) are not being put at risk by their practices.
54. Strengthen Civil Law – As some legal experts have been unsure whether Shariah Councils can be taken to court using the Equality Act 2010, we therefore recommend that an amendment is made to the Act 2010 to clarify that despite some exemptions for religious and belief organisations, religious divorce services are not exempt from the Act and discrimination during the divorce service is against the law. Marriage law should also be reformed to make civil marriages compulsory prior to any religious marriages as not all Muslim women are in legally recognised marriages. In most cases a civil divorce can then be recognised as an Islamic divorce (although a campaign and debate with Muslim will also be needed). Making a civil marriage compulsory could also reduce and eventually eliminate polygamy. The Divorce (Religious Marriages) Act 2002 should also be amended so that it includes Muslim women as it currently only applies to Jewish women.
55. Fund Campaign to Increase Registration of Muslim Marriages – Until there is a reform in the law, it is important to have an educational campaign making women aware of their Islamic and rights under UK law in matters of marriage and divorce. The campaign should include the importance of having a civil marriage in addition to a religious one and the consequences of not having legally valid marriages. The campaign should include criteria that must be met to ensure the civil marriage is legally recognised e.g. it is conducted in an 'Approved' or 'Registered' building and by a person who has been certified as 'Authorised' to solemnise marriages. Muslim Women's Network UK has produced a resource that covers all of the above. It is an A5 booklet titled, Muslim Marriage and Divorce. However, support is needed to promote this.

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**On behalf of Muslim Women’s Network UK,  
Shaista Gohir OBE (Chair)  
7<sup>th</sup> November 2016**

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## **APPENDIX 1 - OPEN LETTER AND SIGNATORIES**

F.A.O - Government and the Home Affairs Select Committee

### **Muslim Women's Voices Must be Prioritised in Shariah Inquiries**

We welcome both the Independent Government Review and the Home Affairs Select Committee inquiry investigating Muslim women's experiences of Shariah Councils. Muslim women (and those organisations that share their concerns while being mindful of the importance they place on faith), will finally have an opportunity to be heard.

When it comes to matters of faith, Muslim women should be speaking for themselves. However, it appears that the voices of these very women that the investigators should listen to are being marginalised. On one hand, religious conservatives who claim that discrimination does not take place, (by pointing to the positive experiences of women), disregard why some are subjected to unfair practices during the Islamic divorce process. On the other hand, some activists regard all faith practices as discriminatory and also conflate misogyny and patriarchy with extremism. This is unhelpful in the current political climate because this can fuel Islamophobia further; it is Muslim women who tend to be most at risk of racist and xenophobic attacks. The government has not helped matters by holding the review as a part of its counter-extremism strategy. This review could have been held as a part of the government's obligations to women under the Convention on the Elimination of all forms of Discrimination (CEDAW). By accepting this international treaty the UK government is required to enshrine gender equality in its domestic legislation and policies anyway. This must include all matters relating to marriage and divorce which means eliminating discriminatory aspects of family law regimes whether civil code, religious law or ethnic custom.

It seems that various parties, to further their own agendas, are using Muslim women as a political football. It is therefore essential that both investigations prioritise the voices of Muslim women and ensure that the diversity of Muslim women's voices is considered first and foremost. Panelists on both inquiries should also have the opportunity to conduct their investigations thoroughly before reaching conclusions and recommendations. We are dismayed that some activists are already branding the independent government review as a 'white wash' in support of Shariah Councils. Members of these inquiries are highly respected professionals such as a retired High court judge Sir Mark Hedley, Professor Mona Siddiqui, an expert in Islamic law and family law lawyers Ann Marie Hutchinson and Sam Momtaz. The involvement of religious scholars Qari Asim and Syed Abbas Ali, who are regarded as progressive and only acting in an advisory capacity, has also been criticised. Their insights are important given that the issues being considered involve faith.

Islam is neither rigid nor limited to narrow and conservative interpretations. Muslims who view Islam in that manner do not represent Islam in its entirety. Likewise, those secularists who view Islam in a reductionist manner will campaign

to limit religion to the private domain and want it eliminated from all public discourse. However, our faith is not like a garment that can be cast aside as soon as we leave our home. To build a cohesive society, we must all move towards mutual understanding and respect. This includes acceptance by all sides that Islam can be compatible with secularism. Human rights do not only have to be discussed in secular terms, they can also be addressed within the framework of religion. Muslim feminists here and abroad have long been promoting enlightened interpretations of Islam that are compatible with democracy, human rights, freedom, and pluralism.

There are many provisions in Islam that allow women to obtain a religious divorce quickly, without duress and discrimination that Shariah councils should be practicing. -As these Islamic rulings are not being applied consistently and as there is uncertainty whether they will raise their standards, we urge the government to also provide alternative civil solutions so that Muslim women are not solely dependent on religious institutions for divorce. This could include making a civil marriage compulsory prior to a religious marriage because in most cases a civil divorce can be recognised as an Islamic divorce. Simply abolishing Shariah Councils is not the answer; they are not the only agencies offering divorce services. Muslim women can also face discriminatory practices when accessing divorce services from mosques or individual scholars and imams. In fact, closing down Shariah Councils would drive divorce services underground, leading to even less transparency and more discrimination.

We are proud to be both British and Muslim and want our government and religious representatives (whether they are mosques, Shariah Councils or individual scholars) to take measures to eliminate discrimination against women in all matters relating to marriage and divorce.

### **Signatories (Over 100 Muslim women e.g. 102)**

#### Leading Signatory

**Shaista Gohir OBE** - Chair of Muslim Women's Network UK (Birmingham)

#### Additional Signatories

**Afaf Ugas** – Midwife (London)

**Aisha Ali Khan** – Administrator (Bradford)

**Aneeqa Malik** - Chair of The WISE Initiative (London)

**Anita Nayyar** - Researcher and Activist (Peterborough)

**Aysha Iqbal** – Director (Birmingham)

**Azmat Hussain** – Self-Employed (Birmingham)

**Chloe Fish** - Professional Support Assistant (Wolverhampton)

**Denise Ahmed** – Midwife (London)

**Dr. Fauzia Ahmad** - Sociologist/Research Fellow (London)

**Dr. Furzana Hameed** – Dentist (Derby)

**Dr. Hasina Thandar** – Medical Doctor (London)

**Dr. Iram Sattar** – GP (London)

**Dr. Nazia Shah** - Principal Dentist (Birmingham)

**Dr. Sariya Cheruvallil-Contractor** – Sociologist (Coventry)

**Dr. Zareen Roohi Ahmed** - Founder & CEO of Gift Wellness Ltd (Derby)  
**Dr. Ziba Mir-Hosseini** - Academic Researcher (Cambridge)  
**F.A. Begg** – Housewife (London)  
**Farah Amin** – Sales Executive (Southampton)  
**Fatima Rahman** - Stay at home mum / formerly Marketing Manager (London)  
**Firoza Mohmed** - Service Manager, Humraaz (Blackburn)  
**Fozia Parveen** - Optometrist and Editor of Fifteen 21 Muslim Youth Magazine (York)  
**Fozia Uddin** - Partnerships Relations Manager (Bolton)  
**Hajra Khote** - Ward Councillor (Leicester)  
**Halima Ali** – Student (Bolton)  
**Heather Rugg** - Senior Lecturer in Nursing (Bury St Edmunds)  
**Hina Nathalia** - Local Government Officer (Leicester)  
**Iman Abou Atta** - Director of Tell MAMA / Deputy Director of Faith Matters (London)  
**Ishrat Baig** – Accounts Manager (Dewsbury)  
**Jusnara Choudhury** - Psychological Wellbeing Practitioner (Birmingham)  
**Khaleda Khan** – Director (Birmingham)  
**Khudeja Bi** - Integrative Counsellor (Birmingham)  
**Kiran Iqbal** – Director (Birmingham)  
**Lavita Smith** – Homemaker (Ipswich)  
**Mahiyat Chowdhury** - Customer Service Advisor (Milton Keynes)  
**Maniza Ahmed** - Diagnostic Radiographer (Birmingham)  
**Mariya Safdar** - Customer Service Advisor (Bolton)  
**Maryam Batan** - Finance Officer (Blackburn)  
**Mayjabeen Hussain** – Police Link Worker (Blackburn)  
**Mediah Ahmed** - Library Assistant (London)  
**Michele Kately** – Medical Secretary (Ipswich)  
**Muneera Ali** – Administrator (Ipswich)  
**Mussurut Zia** - Charity Trustee/ Lecturer (Blackburn)  
**Nadia Bukhari** - Pharmacist (London)  
**Nadia Ilyas** – Project Manager in NHS (Birmingham)  
**Nafisa Khanum** - Chemical Engineer Graduate (Birmingham)  
**Nargis Osman** – Community Worker (Birmingham)  
**Nayyar Janjua** - Chair of Al Fajr Trust (Birmingham)  
**Nazia Rashid** - Family Law Solicitor (London)  
**Nazmin Akthar** – Lawyer (Oxford)  
**Neelam Rose** – Campaigner (Birmingham)  
**Neghat Khan** – Councillor (Nottingham)  
**Noorjehan Patel** - Advocacy Advisor (Preston)  
**Nusrat Zamir** – Community Worker (London)  
**Osma Khan** – Teaching Assistant (Northampton)  
**Parveen Awan** - Carers Advisor (Blackburn)  
**Rahana Khanum** – Teacher (Halifax)  
**Razia Hadait** – Managing Director (Birmingham)  
**Robina Iqbal** - Manager at Community Centre (Birmingham)  
**Ruksana Mahmood** - Volunteer at numerous organisations (Skipton)  
**S Amri** – Part-time worker (London)  
**Sadia Munshi** - Customer Service Advisor (Bolton)

**Sairish Mahmood** - Trainee Biomedical Scientist (Birmingham)  
**Saleha Islam** – Director (London)  
**Sameena Jahangir** - Midday Supervisor (Skipton)  
**Sameera Waheed** - Company Director/ Project Manager (London)  
**Samina Akbar** - Loss Adjuster (Birmingham)  
**Samina Araf** – Carer (Birmingham)  
**Samya Tahir** – Community Worker (London)  
**Shabana Issop** – Solicitor (Blackburn)  
**Shabnam Patel** – Social Worker (Bolton)  
**Shafqat Ajab** – Outreach Worker (Manchester)  
**Shahda Khan MBE** - Vice Chair CEDAW North East & N.E Women's Network (Teesside)  
**Shahida Rahman** - Author and Publisher (Cambridge)  
**Shahin Ashraf MBE** – Chaplain (Birmingham)  
**Shamila Majid** - Child Sexual Exploitation Specialist Practitioner (Nottingham)  
**Shamiza Zia** – Solicitor (Nottingham)  
**Shazia Bashir** – Community Activist (Peterborough)  
**Shazia Khan** - Executive Director of Nottingham Muslim Women's Network (Nottingham)  
**Shumana Begum** – Student (Bolton)  
**Sirwar Hussain** - Carers Support Worker (Rotherham)  
**Snouber Sharif** - Project Coordinator (Birmingham)  
**Sofia Rashid** – Homemaker and former Project Manager (Bristol)  
**Sofina Razaq** – Housewife (Bedford)  
**Solma Ahmed** – Retired Civil Servant (Colchester)  
**Sufia Alam** - Maryam Centre Manager (London)  
**Sufiya Ahmed** - Author of Secrets of the Henna Girl (London)  
**Sumayya Lee** – Author (London)  
**Sumeya Patel** – Teacher (Leicester)  
**Suniya Qureshi** – Trustee of a charity (London)  
**Tamsila Tauqir MBE** - Trustee of Inclusive Mosque Initiative (London)  
**Taslim Hussain** - Youth Engagement Worker (Newport)  
**Tiffany Joseph** - Personal Trainer (Birmingham)  
**Yasmin Ahmed** – Beauty Therapist (Bradford)  
**Yasmin Ishaq** - Manager at Islam Rotherham (Rotherham)  
**Yasmin Javed** - Secretary of the Behno Group (Leeds)  
**Yasmin Khan** - Director of Halo Project Charity (Middlesbrough)  
**Yesmien Bagh Ali** - Company Director of Amaali (Skipton)  
**Zaheera Nanabawa** – Project Manager (Gloucester)  
**Zaynah Plummer-Josephs** – Counsellor (Birmingham)  
**Zlakha Ahmed MBE** - Chief Executive of Apna Haq (Rotherham)  
**Zohura Akthar** – University student (Newcastle upon Tyne)

Further Signatories (after launch of letter) (13 signatures)

**Akeela Ahmed** - Social Entrepreneur (London)  
**Alia Waheed** - Journalist (London)  
**Aqida Abbasi** - Justice of Peace and Retired (Essex)  
**Iqra Malik** - Full-time Carer (London)

**Farida Saleem** - Homemaker (London)  
**Nafeesa Chishti** - Data Analyst (Rochdale)  
**Nazia Rasul** - Property (London)  
**Nazia Mirza** - Policy & Engagement Manager (London)  
**Rahela Hussain** - Office Manager (Birmingham)  
**Rida Shaikh** - Project Manager (Birmingham)  
**Saima Ahmed** - Business Owner (London)  
**Saima Ahmed** - Executive Producer (London)  
**Umrana Saleem** - Finance (Buckinghamshire)

## APPENDIX 2 (COPY OF LETTER TO LORD CHANCELLOR)



Rt Hon Michael Gove MP  
Lord Chancellor and Secretary of State for Justice  
Ministry of Justice  
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6<sup>th</sup> July 2015

Dear Lord Chancellor,

### **LEGISLATIVE SOLUTIONS TO PREVENT DISCRIMINATION AGAINST MUSLIM WOMEN IN MARRIAGE AND DIVORCE**

I am writing to you on behalf of Muslim Women's Network UK to bring to your attention the disadvantage faced by Muslim women in marriage and divorce. We regularly receive requests for help from Muslim women who face financial difficulties when their relationship ends because they were in marriages that are not recognised under English law. Even when Muslim women are in legally valid marriages (e.g. have had a civil marriage or a religious marriage conducted abroad in accordance with the laws of that country), they are pressurised to settle for a less favourable divorce settlement in return for being able to have a religious divorce through Shariah Councils.

I would like to come and meet with you to discuss how you can help protect Muslim women through the British justice system. My colleagues and I met with researchers from the Law Commission today and put forward solutions that could be provided through English law so Muslim women no longer have to be solely dependent on religious institutions such as Shariah Councils, thus making them redundant in the future.

The UK has an obligation under an international agreement that it has signed to prevent discrimination against women in marriage and divorce. The Convention

on the Elimination of all Forms of Discrimination against Women (CEDAW) is an international treaty adopted in 1979 by the United Nations. States ratifying the Convention are required to enshrine gender equality into their domestic legislation and enact new provisions to guard against discrimination against women. Article 16 requires measures to eliminate discrimination against women in all matters relating to marriage and divorce. In 2013, the CEDAW committee went further and issued a recommendation that all member states adopt legislation to

eliminate the discriminatory aspects of family law regimes, whether civil code, religious law, ethnic custom, or any combination of laws and practices regulates them. One recommendation (no. 28) says that state parties should take all legislative and policy measures to abolish polygamous marriages. Another recommendation (no.26), says that state parties should establish a legal requirement of marriage registration and conduct effective awareness-raising activities to that effect. By accepting CEDAW, the UK has committed itself undertake measures to end discrimination against women and must submit a national report to the Committee at least every four years indicating the measures that have been adopted to give effect to the provisions of the Convention.

It is clear that Muslim women are extremely vulnerable to discrimination on matters of marriage and divorce and the UK government should intervene and put into place mechanisms to safeguard them. Solutions that could help end discrimination faced by Muslim women when trying to obtain their religious divorce include making a civil wedding compulsory and by amending the Divorce (Religious Marriages) Act 2002. These are discussed below in detail.

### **Making Civil Wedding Compulsory**

Despite unverified claims in the media of 100000 Muslim couples in unregistered marriages, there are no credible statistics to show how many Muslim do not have legally valid marriages. However, it is clear from enquiries we receive and feedback from our members across the UK, that significant numbers are in such marriages i.e. those who conduct their religious ceremony in the UK but do not have an additional civil marriage. Although some actions can be taken increase the number of Muslims having civil marriages such as campaigns to have more Muslims to get their marriage registered, more buildings (such as mosques and functions halls) becoming registered for the purposes of civil marriage, and more imams registering to be an 'authorized person' to register marriages (conducted in the registered places of worship or other authorised premises), they are only a partial solution. These actions will only help facilitate civil marriages for those couples who want to be in a legally recognized marriage. According to our findings, most couples who only choose to have the religious ceremony, do so because one party (in most cases the man) refuses to have the civil marriage to protect assets such as finances and property. When women raise concerns, they are usually pressurised into agreeing with such a set up. Many fear that it will reduce their chances to get married if they refuse.

To avoid these situations, we recommend that this matter be taken out of the hands of couples and we follow France and make it illegal for anyone to conduct a religious wedding ceremony without a prior civil marriage. In France, a religious ceremony may be performed after (never before) the civil ceremony. The person conducting the religious marriage will require the certificate of civil marriage as proof that the civil ceremony has taken place.

Making a civil marriage compulsory would also reduce and eventually eliminate child marriages and polygamous marriages. Such a law would also help to resolve the many problems Muslim women face when trying to obtain a religious divorce at Shariah Councils, which place many barriers in their way, keeping them in so called 'limping marriages' while allowing the man to remarry and move forward with his life. Having a civil marriage would mean having to obtain a civil divorce should the relationship breakdown. Some Islamic scholars regard civil divorces as valid Islamic divorces particularly when the husband has initiated the divorce or when the wife has initiated it and the husband willingly signs the divorce papers. This is why we advise women to obtain their civil divorce first and then take their 'decree absolute to the Shariah Council as evidence. Upon seeing these documents, Shariah Councils usually issue the religious divorce automatically. This indicates they have no choice to agree to the religious divorce and perhaps are going through the motions to retain their importance and authority while continuing to earn an income for their services. It is clear that making a civil marriage compulsory and therefore a civil divorce compulsory accompanied by awareness raising about the validity of civil divorce in Islam, would reduce the need for Shariah Councils, especially if the Divorce (Religious Marriages) Act 2002 was also amended.

### **Amending Divorce (Religious Marriages) Act 2002**

Like Muslim women, Jewish women in legally recognised marriages, would be pressurised by their husbands in agreeing to unfair custodial and financial demands during the civil divorce in return for the husband giving the wife a religious divorce. To remedy the unbalanced bargaining power of the husband, the UK passed the Divorce (Religious Marriages) Act in 2002. This means that the judge can withhold finalising the civil divorce until the woman receives her religious divorce from the husband. The Divorce Act has been successful within the Jewish community and it could also be utilised to help Muslim women who are in similar situations. If the Muslim husband wanted his civil divorce, he would have no choice but to give the religious divorce, which he could do so without involvement of a Shariah Council. A signed written statement would suffice and be given to the court. If civil marriages are also made compulsory, it would be more difficult for Muslim men to move forward with their lives with another religious marriage (while forcing their wives to remain married to them) as is happening now. However, currently the Act does not apply to Muslim communities. It explicitly mentions the "usages of the Jews," and "any other prescribed religious usages." Although, any other religious group e.g. Muslims may also subject itself to the Act, it can only do so by asking the Lord Chancellor to prescribe the religious group for that purpose. The Muslim Women's Network UK therefore would like to make an application requesting such recognition.

I look forward to meeting with you to discuss these proposals further and hope that you can help empower Muslim women by agreeing to these solutions put forward and help facilitate making these a reality during your time as Lord Chancellor.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Shaista Gohir', written in a cursive style.

**Shaista Gohir MBE**  
**Chair of Muslim Women's Network UK**