

# THE MUSLIM LAW (SHARIAH) COUNCIL UK

20 – 22 Creffield Road, Ealing, London W5 3RP

Tel.:+44(0) 20 8992 6636 (Ex: 100) / Fax: +44(0) 20 8993 3946

Lines are open: Monday to Thursday, 11.00 am – 3.30 pm

Email: [info@shariahouncil.org](mailto:info@shariahouncil.org) / Web: [www.shariahouncil.org](http://www.shariahouncil.org)

(ESTABLISHED IN 1985)

## **FREQUENTLY ASKED QUESTIONS** **HOW TO OBTAIN AN ISLAMIC DIVORCE**

### **A. Marriage in accordance to Islamic Law (Shariah) in the United Kingdom**

1. Contact your Husband and ask for an Islamic Divorce. This divorce document can be prepared on plain paper, signed and dated by your Husband. Also it needs to be signed by two competent Muslim witnesses. Their full name and address should appear on the document. You do not necessarily need this document endorsed by a Mosque or Shariah Council
2. If your Husband refuses to issue an Islamic Divorce. Contact the Shariah Council on the above address to get a divorce application form. By applying to the Council you may get an Islamic Divorce.

### **B. Marriage in accordance to Islamic law (Shariah) in the United Kingdom, and the marriage is registered in the United Kingdom**

1. For an Islamic Divorce, follow the procedures as described in [A.]
2. You also need a Civil Divorce (Decree Absolute). Contact a firm of solicitors dealing with matrimonial disputes. They will apply for Civil Divorce in a Local County Court.

### **C. Overseas Marriages (Marriages conducted in countries outside the United Kingdom)**

1. Apply to the respective courts for a divorce in the country where the marriage took place. This divorce is considered Islamic as well as legally binding. [The divorce is acknowledged by British Law as a Civil Divorce]
2. If you are unable to obtain a divorce from the country of your marriage. Then:
  - a. For an Islamic Divorce, follow the procedures as described in [A.]
  - b. For a Civil/Legal Divorce, follow the procedures as described in [B. - Part2.]

**NOTE:** Almost for all overseas Islamic Marriage you either need a divorce from the country of marriage, or a civil Divorce (Decree Absolute) from an English Court in addition to an Islamic Divorce from your husband or Shari'ah Council.

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### **D. You have obtained a Civil Divorce (Decree Absolute) in the United Kingdom, but you have not obtained an Islamic Divorce**

Follow the Procedures as described in [A.] to obtain an Islamic Divorce.

### **E. You are applying to the Shariah Council for an Islamic Divorce, and...**

#### **1. Your Nikah Certificate is missing or not available:**

- a. Obtain a duplicate copy from the Imam/Qahdi/Mosque office who conducted the Nikah. Or...
- b. Contact the Shari'ah Council for the Declaration Forms.

#### **2. You do not have the contact details of your husband:**

- a. Obtain your husband's current address from his parents, close relatives, etc...
- b. Contact the Shari'ah Council for the relevant Declaration Forms.

### **F. Your husband has divorced you verbally or on telephone and there was no one present as a witness**

1. Ask two Muslims to speak to your husband to confirm his verbal divorce, then request from them a written statement as witnesses to the divorce. Keep these statements safe as proof of the Divorce.
2. Alternatively, follow the procedures as described in [A.] to obtain an Islamic Divorce.

### **G. You are separated from your husband for a long period (more than one year); do you still require a divorce?**

Yes, you still require a divorce. According to Islamic Law, mere separation will never constitute an automatic divorce.

### **H. You are married to a man who has reverted to Islam, later he returns to his previous faith...a**

If you can prove this case, then your marriage is automatically void. The Nikah has been dissolved.