

Political Affairs Digest

A daily summary of political events affecting the Jewish Community

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House of Lords Oral Answers

Sharia Law: Marriages

Baroness Cox (Crossbench): To ask Her Majesty's Government what progress they have made in implementing the first recommendation of *The independent review into the application of sharia law in England and Wales*, published in February 2018, in order to protect Muslim women in Islamic marriages which are not civilly registered.

The Advocate-General for Scotland (Lord Keen of Elie): My Lords, the review recommended creating an offence that would apply to celebrants of religious marriages that do not confer legal rights. We continue to explore across government the practicality of such an offence among other potential options and whether it would achieve the change of practice intended.

Baroness Cox: My Lords, I thank the Minister for his reply, but we have seen no evidence of any progress on this crucial issue, which causes so much suffering to so many Muslim women in this country. Is he aware that many noble Lords were deeply concerned by his response to a similar Oral Question in July, in which he suggested that the plight of Muslim women, "is more of a social issue than a legal one"?—[*Official Report*, 4/7/19; col. 1516.] Given the recommendations of the sharia law review, the Casey review and the Parliamentary Assembly of the Council of Europe, and the number of Private Member's Bills that I have submitted since 2011, will the Minister give an assurance that the government legislation will at last be introduced with great urgency, as so many Muslim women are suffering in ways which would make our suffragettes turn in their graves?

Lord Keen of Elie: My Lords, I fully understand the concern about this issue in relation to marriage law. We do not agree with the recommendations in the sharia review. The Council of Europe's view on this was, I regret to observe, inept in so far as it used the concept of "civilly registered", which is not a legal concept in the context of the marriage laws of England and Wales. On 29 June, it was announced that the Law Commission would undertake work in relation to the law on how and where marriages may take place in England and Wales. The commission will not consider directly the sharia review's recommendations, but it will consider rationalising the system of offences within marriage law.

Lord Anderson of Swansea (Labour): My Lords, the Minister may understand the

concern, but the question is what the Government are going to do about it, having set up this commission. Are they content with a situation where, under sharia courts, women are constantly discriminated against in terms both of inheritance and particularly evidence, the weight of their evidence being half that of a man's?

Lord Keen of Elie: My Lords, we do not recognise sharia courts in this country; we do not recognise sharia law in this country. It is necessary that people carry through their relationships in accordance with the law of England and Wales. However, the Government do not prevent individuals seeking to regulate their lives through their religious beliefs.

Lord Cormack (Conservative): My Lords, as one who has supported the noble Baroness, Lady Cox, and admires her persistence and courage, I ask my noble and learned friend to ensure that action is taken soon to give these women—I have met some of them with the noble Baroness—the basic equality that they are denied, and which everyone in this country deserves.

Lord Keen of Elie: My Lords, one is clearly concerned where equality of treatment is not available as it should be under our law, but I repeat a point that I made on a previous occasion, albeit the noble Baroness, Lady Cox, may take issue with it: this is as much a social issue as it is a legal issue. Many people in this country choose to cohabit rather than go through any form of marriage but, within the Muslim community, cohabitation is severely frowned upon. It is for that reason that we find that many go through this informal form of marriage, which is not recognised under our law.

Baroness Hussein-Ece (Liberal Democrat): My Lords, religious marriages that are not legally recognised is an issue that affects women and girls from many faiths and backgrounds. A third of cases dealt with by the UK's Forced Marriage Unit involved children under the age of 17. The Minister will be aware that, under existing law, children can be married and, shockingly, an adult marrying a child in this way is not in itself a crime; it is simply not legally binding. Will the Government take action to close this loophole by increasing the minimum age of any marriage to 18 and protect all children from all backgrounds?

Lord Keen of Elie: My Lords, forced marriage is a criminal offence in this country and has been since 2014. Indeed, in 2017 we introduced lifelong anonymity for the victims of forced marriage to encourage more people to come forward and report it. The age of marriage is 16 but, in the period from 16 to 18, marriage can of course be carried out only with the consent of the parent. There are no immediate plans to increase the age in respect of marriage.

Baroness Afshar (Crossbench): My Lords, are the Government aware that these courts deprive Muslim women of not only their rights but their Islamic rights? They do not give them the rights that the Koran gives to women: to independence, to charge for housework and to charge for motherhood. It is high time that someone who is familiar with the Koranic teachings of Islamic rights intervened to prevent this façade of sharia courts imposing absolutely unjust and unlawful demands on women. What will this Government do about that?

Lord Keen of Elie: My Lords, we do not recognise sharia courts and we do not recognise sharia law. We recognise the law of England and Wales, and it is that to which we must look for protection of rights and to which individuals must have recourse. Of course, I understand the social inhibitions that exist in parts of the Muslim community in seeking to vindicate their rights. That is why, for example, we introduced anonymity in the context of forced marriage.

Lord Elton (Conservative): My Lords, the Government may not recognise the courts but a great many people in this country do, of whom a large proportion cannot speak, read or understand the English language. Do the Government realise that there is a huge barrier around this problem, which needs to be solved quickly to avoid terrible injustice?

Lord Keen of Elie: My Lords, I entirely concur with the observations of my noble friend. There is a very real need for education and information in this area. If we can achieve that, we can take strides to deal with this inequality and injustice, which we readily recognise, but which is more difficult to cure than to identify.

<https://hansard.parliament.uk/lords/2019-10-23/debates/D7C380E1-3F77-4BE0-BF60-89B390587A7D/ShariaLawMarriages>

The report referred to above can be read at

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/678478/6.4152_HO_CPGF_Report_into_Sharia_Law_in_the_UK_WEB.pdf

The oral answer referred to above can be read at

<https://hansard.parliament.uk/lords/2019-07-04/debates/942B3D60-0C64-412A-9710-4967D39CFDB6/ShariaLawMarriages#contribution-6F86D243-63C1-403C-88E2-D00CE332C022>

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Holocaust

House of Commons Written Answer

National Holocaust Memorial and Learning Centre

Edward Leigh (Conservative) [424] To ask the Secretary of State for Housing, Communities and Local Government, when he expects construction on the proposed Holocaust Memorial and Learning Centre to start; and how much has been allocated from the public purse before construction starts and (a) in total (b) for each of (i) Big Ideas, (ii) Dp9, (iii) Four Communications and (iv) Newgate Communications.

Jake Berry: I refer my Rt Hon Friend to the answer to Question UIN 293452 of 8 October for Big ideas and Four Communications. He is reminded that neither DP9 nor Newgate Communications receive public money for their services to the project. We expect construction of the Holocaust Memorial and Learning Centre to begin in 2020, subject to planning permission.

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2019-10-15/424/>

The answer referred to above can be read at

<https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2019-10-02/293452/>

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Relevant Legislation ** new or updated today

UK Parliament

Divorce, Dissolution and Separation Bill

<https://services.parliament.uk/Bills/2019-20/divorcedissolutionandseparation.html>

Domestic Abuse Bill

<https://services.parliament.uk/Bills/2019-20/domesticabuse.html>

Scottish Parliament

Civil Partnership (Scotland) Bill

<https://www.parliament.scot/parliamentarybusiness/Bills/112997.aspx>

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Consultations

** new or updated today

Welsh Government Strategic Equality Objectives 2020-24 (closing date 19 November 2019)

<https://gov.wales/sites/default/files/consultations/2019-09/strategic-equality-objectives-2020-2024-consultation.pdf>

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