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Recent trends in UK family case law and the relevance of "other" laws: Sharia Councils and the Sikh Court[*]*

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ABSTRACT

The United Kingdom is characterized by a model of coexistence between ethnicities and religions that favors the preservation of the cultural particularities of social groups, also thanks to the promotion of alternative dispute resolution (ADR) mechanisms offered by religious denominations. This article, considering family matters, focuses on some inter-judicial dynamics between the normative systems of Islam and Sikhism and secular law. On the one hand, it analyzes several state court judgements regarding Muslim marriage and the legal cooperation provided by Sharia Councils; on the other, it explores the founding process of the Sikh Court, which, in the opinion of its promoters, would be able to reconcile the need of believers to regulate their legal relationships according to the dictates of their religion with the protection of human rights and the fundamental principles of secular law.

KEYWORDS

Religious ADR; United Kingdom; Sharia Councils; Sikh Court; family relationship

1. *The United Kingdom, between ethnic-religious pluralism, multiculturalism and religious ADR: Muslim communities and Sharia Councils*

A now paradigmatic case of the phenomenon of interlegality, understood as "intersection between different legal spaces" and "interaction between the different sources of law that are an expression of it"[1],

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[1] PAOLA PAROLARI, *Diritto policentrico e interlegalità nei Paesi europei di immigrazione. Il caso degli shari'a councils in Inghilterra*, Giappichelli, Torino, 2020, p. 58. See GIANLUIGI PALOMBELLA, *Interlegalità. L'interconnessione tra ordini giuridici, il diritto, e il ruolo delle corti*, in *Diritto e questioni pubbliche*, XVIII, n. 2, 2018, pp. 315-342; JAN KLABBERS, GIANLUIGI PALOMBELLA, *Situating Inter-Legality*, in JAN KLABBERS, GIANLUIGI PALOMBELLA (eds.), *The Challenge of Inter-Legality*, Cambridge University Press, 2019, pp. 1-20; PAOLA PAROLARI, *L'interlegalità come metodo? La decisione giudiziale negli spazi giuridici ibridi*, in EDOARDO CHITI, ALBERTO DI MARTINO, GIANLUIGI PALOMBELLA (eds.), *L'era dell'interlegalità*, Il Mulino, Bologna, 2022, pp. 119-135; EAD.,

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the United Kingdom's system of "plural" jurisdictions continues to arouse the interest of both scholars and civil society and politicians.

Multiple factors promoted an original structure in which some religious confessions, especially Jewish, Muslim and Sikh, have equipped themselves with bodies responsible for administering justice to their members, in order to orient life choices of members in accordance with the dictates of the faith professed. The ADR tools mainly used are arbitration, mediation and conciliation, sometimes in pure form, sometimes hybrid, in order to optimize the characteristics of each scheme, which diverges from the others in terms of binding force, procedural formalism and the suitability of the decision to be enforced[2].

Leaving aside the Jewish confession, which boasts a historical presence in the United Kingdom, also thanks to the emancipation measures adopted in the first half of the nineteenth century[3], the rooting of Muslims and Sikhs originated after the Second World War, particularly between the fifties and sixties of the twentieth century, when England became the destination of those who belonged to the former colonies of the Empire now in decay. These were, above all, Pakistanis, Bangladeshis and Indians attracted by the better living conditions, by the increasingly efficient welfare that was being consolidated and by the policies of freedom and protection of cultural identity in favor of minorities[4].

Interlegalità, in SILVIA BAGNI, MARIA CHIARA LOCCHI, CINZIA PICIOCCHI, ANGELO RINELLA (eds.), *Interculturalismo. Lessico comparato*, Edizioni Scientifiche Italiane, Napoli, 2024, pp. 383-398.

[2] See GILLIAN DOUGLAS, NORMAN DOE, SOPHIE GILLIAT-RAY, RUSSEL SANDBERG, ASMA KHAN, *Social Cohesion and Civil Law: Marriage, Divorce and Religious Courts*, Cardiff University, Cardiff, 2011; FARRAH AHMED, SENWUNG LUK, *How Religious Arbitration Could Enhance Personal Autonomy*, in *Oxford Journal of Law and Religion*, I, n. 2, 2012, pp. 424-445; LAURA BACCAGLINI, *Arbitration on Family Matters and Religious Law: a Civil Procedural Law Perspective*, in *Civil Procedure Review*, V, n. 2, 2014, pp. 3-21; MIRKO ABBAMONTE, *L'esperienza dei* faith-based arbitrations *in Ontario, Stati Uniti e Inghilterra*, in FRANCESCO ALICINO (ed.), *Il costituzionalismo di fronte all'Islam. Giurisdizioni alternative nelle società multiculturali*, Bordeaux, Roma, 2016, pp. 163-247 (per quanto qui d'interesse, pp. 213-238); MATTEO LUPANO, *Il metodo e l'uso degli strumenti di ADR negli ordinamenti statali*, in *Quaderni di diritto e politica ecclesiastica*, fascicolo speciale DAIMON, 2020, pp. 159-180; MIRKO ABBAMONTE, Arbitrate more and litigate less. *I* family law arbitrations *nei sistemi giuridici di* common law*: riflessioni* de iure condendo, in FRANCESCO ALICINO, MIRKO ABBAMONTE (eds.), *Diritto e giustizia nelle relazioni familiari*, Giuffrè, Milano, 2023, pp. 37-119 (in particolare, pp. 100-111).

[3] See RAPHAEL LANGHAM, *The Jews in Britain. A Chronology*, Palgrave Macmillan, London, 2005, pp. 34-59; TODD M. ENDELMAN, *The Jews of Britain, 1656 to 2000*, University of California Press, Berkeley, Los Angeles, London, 2002; SARA ABOSCH-JACOBSON, *"We are not only English Jews – we are Jewish Englishmen". The Making of an Anglo-Jewish Identity. 1840-1880*, Academic Studies Press, Boston, 2020, pp. 91-126; JOHN TOLAN, *England's Jews: Finance, Violence, and the Crown in the Thirteenth Century*, University of Pennsylvania Press, Philadelphia, 2023.

[4] See HUMAYUN ANSARI, *Muslims in Britain. Report*, Minority Rights Group International, London, 2002, pp. 6-11; CLAUDIO MARTINELLI, *Il modello di integrazione della Gran Bretagna*, in GINEVRA CERRINA FERONI, VERONICA FEDERICO (eds.), *Società multiculturali e percorsi di integrazione Francia, Germania, Regno Unito ed Italia a confronto*, Firenze University Press, Firenze, 2017, pp. 9-35; RICHARD T. ASHCROFT, MARK BEVIR, *British Multiculturalism after Empire. Immigration, Nationality, and Citizenship*, in RICHARD T. ASHCROFT, MARK BEVIR (eds.), *Multiculturalism in the British Commonwealth*, University of California Press, Oakland, 2019, pp. 25-45; KATHARINA LEFRINGHAUSEN, NICOLAS GEERAERT, *Multiculturalism in the United Kingdom: Past, Present, and Future Directions*, in PETIA GENKOVA, MATT FLYNN, MICHAEL MORLEY, MARTINA RAŠTICOVÁ (eds.), *Handbook of Diversity Competence. European Perspectives*, Springer, Cham, 2025, pp. 75-92.

Published online on 15th October 2025.

British multiculturalism has thus accentuated ethnic particularisms, so much so that it evokes a neomilletist system[5], in which each community maintains its own regulatory codes and establishes courts parallel to ordinary jurisdiction, with the task of judging cases involving confessional profiles.

The Muslim component, which represents the second religious denomination in the country, has given rise to the *Sharia Councils*, associations that offer advice on every aspect of religious practice, from the preparation of prayer materials to food certifications, from the organization of the main ceremonies for holidays to the solution of doubts of conscience. It is on this last field of action that the conciliation activity is grafted, because it is through the advice of the mediators that the parties will be able to settle disagreements between them, avoiding recourse to courts made up of infidels[6].

The functioning of these bodies, the number of which is estimated at around eighty-five in England and Wales[7], is informal: each *Sharia Council* is composed of one or more commissions of experts in Muslim law and support and secretarial staff, who often operate free of charge[8].

With a view to transparency and simplification, some *Sharia Councils* have published on their websites the forms to start the process[9]; others have made available answers to the most frequent doubts[10]; However, there are no defined procedural rules, no collections of case law, and no criteria for the selection of panel members.

Despite this, the opportunity to have a judgment that respects the values and principles professed, the confidentiality of the treatment, the support of the group to which they belong and the very low rates, especially when compared with the expenses to be incurred for state justice, are incentives that push towards this type of ADR.

Sensitivity is greater in the matrimonial issue, as demonstrated by the monopoly that the *Sharia Councils* have both in view of the celebration of marriage (*nikah*), as well as in the settlement of any crises and in the dissolution of the bond[11]. It must be considered, in fact, that Muslim law admits repudiation

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[5] See PENELOPE C. JOHNSTONE, *Millet or Minority. Muslims in Britain*, in VICTOR C. HAYES, *Identity Issues and World Religions*, International Association for the History of Religions, Netley, 1986, pp. 176-181.

[6] See ROBERTA ALUFFI, *La pace è bene (Corano, IV, 128)*, in *Quaderni di diritto e politica ecclesiastica*, Fascicolo speciale DAIMON, 2020, pp. 79-94.

[7] See DAVID TORRANCE, *Sharia law courts in the UK*, House of Commons Library, London, 2019, p. 7.

[8] See SAMIA BANO, *Muslim Women and Shari'ah Councils. Transcending the Boundaries of Community and Law*, Palgrave Macmillan, London, 2012, pp. 100-141.

[9] See the websites of the *Islamic Sharia Council* in Leyton-East London, https://www.islamic-sharia.org/services, of the *Muslim Law (Sharia) Council* in Ealing-West London, https://www.shariahcouncil.org/mediation/, and of the *Misbah ul-Qu'ran* in Birmingham, https://misbahulquran.net/islamic-shariah-council/.

[10] An example is given by the website of the *Islamic Sharia Council – Nothern Britain*, based in Newcastle upon Tyne, https://theislamicshariacouncil.org.uk/fatwa/.

[11] See SECRETARY STATE FOR THE HOME DEPARTMENT, *The independent review into the application of sharia law in England and Wales*, London, Feb. 2018, pp. 10-16; ANGELO RINELLA, MARIA FRANCESCA CAVALCANTI, *I Tribunali islamici in Occidente: Gran Bretagna e Grecia, profili di diritto comparato*, in *Diritto pubblico comparato ed europeo*, n. 1, 2017, 69-118 (in particular, pp. 82-91); ALESSANDRO NEGRI, *Le Sharia Court in Gran Bretagna. Storia ed evoluzione dei tribunali islamici nel Regno Unito*, in *Stato, Chiese e pluralismo confessionale*, n. 4, 2018, pp. 1-41; ID., *Dieci anni dopo il discorso dell'Arcivescovo di Canterbury: la Sharia nel Regno Unito oggi, tra giurisprudenza e politica*, in *Quaderni di diritto e politica ecclesiastica*, n. 2, 2019, pp. 441-443; FEDERICA SONA, *Gli Shari'ah Councils nel Regno Unito. Il ruolo del giudice islamico nell'adattamento interculturale del diritto familiare*, in ILARIA ZUANAZZI, MARIA CHIARA

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(*talaq*) on the part of the husband, but does not allow the same on the part of the wife, who has the right only to obtain the judicial dissolution of the bond (*faskh* or *khul'*)[12].

Since decisions on the validity and dissolution of marriage cannot be the subject of an arbitration agreement and those on the custody of children, although arbitrable, are subject to British law[13], *Sharia Councils* do not issue binding awards, but seek conciliatory solutions in accordance with Muslim law and issuing certificates attesting to the fulfillment of *khul'*. Sometimes, however, these measures, which have no legal value in the United Kingdom, are effective in the foreign legal systems of origin of the parties; so that the problem arises of their recognition according to the rules of private international law.

Ultimately, the State will have an indirect and eventual knowledge of the "parallel world" of Islamic justice: indirect because the secular authority will only know of some effects deriving from the transaction already perfected in the confessional and/or foreign system; eventual, because the issues may emerge as a result of a "pathology" – for example, a breach or an event of a criminal nature – inherent in the relationship arising from religious mediation, or when the desired result can only be achieved by resorting to public administration.

Indeed, an attempt to come out of "clandestinity" and to adapt to the standards of the United Kingdom for the protection of the right of defense and the safeguard of fundamental freedoms, was made in 2007 with the creation of the *Muslim Arbitration Tribunal* (MAT) in Nuneaton, at the behest of Faiz al-Aqtab Siddiqi[14]. However, the MAT operates as a true arbitral court, capable of issuing binding

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RUSCAZIO (eds.), *Le relazioni familiari nel diritto interculturale*, Libellula Edizioni, Tricase, 2018, pp. 387-412; ANGELO RINELLA, *La shari'a in Occidente. Giurisdizioni e diritto islamico: Regno Unito, Canada e Stati Uniti d'America*, Il Mulino, Bologna, 2021; ISLAM UDDIN, *In Pursuit of an Islamic Divorce: a Socio- Legal Examination of Practices Among British Muslims*, in in RAJNAARA C. AKHTAR, PATRICK NASH, REBECCA PROBERT, *Cohabitation and Religious Marriage. Status, Similarities and Solutions*, Bristol University Press, Bristol, 2021, pp. 117-127; MARIA FRANCESCA CAVALCANTI, *Giurisdizioni alternative e* legal pluralism*: le minoranze islamiche negli ordinamenti costituzionali occidentali*, Editoriale Scientifica, Napoli, 2023.

[12] Although in the documents of the British government the term *khul'* is always used to indicate the judicial dissolution of Islamic marriage, it must be specified that it is the repudiation requested by the wife in return for a consideration in favor of her husband. However, the religious authority has the task of assessing the adequacy of the woman's offer and can replace the husband in the event of failure to grant the dissolution of the bond. More precisely, the divorce declared by a panel of Muslim judges in the event of disagreement between the parties is the *faskh* (o *šiqaq*). See ROBERTA ALUFFI BECK PECCOZ, *Il matrimonio nel diritto islamico*, in SILVIO FERRARI (ed.), *Il matrimonio. Diritto ebraico, canonico e islamico: un commento alle fonti*, Giappichelli, Torino, 2006, pp. 212-246; ADELAIDE MADERA, *Lo scioglimento del matrimonio negli ordinamenti confessionali*, Giuffrè, Milano, 2015, pp. 243-256; ANDREA ZANOTTI, *Il matrimonio nel diritto islamico*, in GERALDINA BONI, ANDREA ZANOTTI (eds.), *Matrimonio e famiglia tra diritti religiosi e diritti secolari*, Zanichelli, Bologna, 2024, pp. 62-86; KHALID SHAH, *Validity of Faskh (Judicial Annulment) of Nikah (Islamic Marriage) due to Shiqaq (Marital Discord) and its 21st Century Application*, in *Australian Journal of Islamic Studies*, X, n. 1, 2025, pp. 41-65.

[13] See PRESIDENT OF FAMILY DIVISION OF ENGLAND AND WALES COURT OF APPEAL, *Practice Guidance: Children Arbitration in the* Family Court, https://www.judiciary.uk/wp-content/uploads/2018/07/pfd-practice-guidance-children-arbitration.pdf, e INSTITUTE OF FAMILY LAW ARBITRATION, *A Guide to the Family Law Arbitration Scheme*, IV ed., https://ifla.org.uk/wp-content/uploads/Arbitrators.pdf.

[14] See MIRKO ABBAMONTE, *L'esperienza dei* faith-based arbitrations, pp. 138-139; ALESSANDRO NEGRI, *Le Sharia Court in Gran Bretagna*, pp. 11-15; YVONNE PRIEF, *Muslim Legal Practice in the United Kingdom: the Muslim Arbitration Tribunal*, in NORBERT OBERAUER, YVONNE PRIEF, ULRIKE QUBAJA (eds.), *Legal Pluralism in Muslim Context*, Brill, Leiden, Boston, 2019, pp. 12-42; EMANUELE ODORISIO, *The Muslim Arbitration Tribunal (MAT)*, in *Comparative Law Review*, XI, n. 1, 2020, pp. 79-96;

Published online on 15th October 2025.

awards subject to judicial review under the *Arbitration Act* 1996, only in the field of civil and commercial law, while, as regards the matter of Islamic marriage and its dissolution, it is not distinguished from a *Sharia Council*.

2. *The attitude of UK judges to family law 'intersections'*

In illustrating the dynamics of "interlegality" established at the intersection between secular law and *Sharia* in the field of family disputes, I will use three judgments, coming from different courts in the United Kingdom. The first is *HM Attorney General v. Akhter and Khan*, issued in 2020 by the Civil Division of the Court of Appeal of England and Wales; the second is *SM v. AN* of the Court of Session of Scotland, which ruled in 2021; the third is the *Re AG (Welfare: Forced Marriage Protection Order),* issued by the Court of Protection in 2024.

The cases that will be presented concern family matters in different perspectives: the legal (in)existence of a Muslim marriage (*nikah*), not solemnized under the *Marriage Act* of 1949 and the *Matrimonial Causes Act* of 1973[15]; the divorce of a Muslim couple and the custody of their minor daughter; the issuance of a protection order to protect a young Muslim woman with a slight cognitive delay.

a. *HM Attorney General v. Akhter and Khan: the "nikah" between nullity and non-existence*

To reconstruct the legal reasoning of the judgment HM *Attorney General v. Akhter and Khan*, it is necessary to take a step back and briefly mention the case, which had found an initial outcome in the *Akhter v. Khan* judgment, issued by the Family Court in 2018. In 1998 the parties had celebrated a *nikah* in a London restaurant. The irregularity of the place, which was not among those admissible under section 26 of the *Marriage Act* of 1949 – the source of regulation of marriage in England and Wales – and the absence of an officiant with authorization determined the impossibility of registering the act in the public registers. Although the only viable way to create a bond before the State was the celebration of a civil marriage, this did not happen, due to the opposition of the husband.

Following the failure of the union, Mrs. Akhter, after having initially traveled the path of *khul'*, going to some unidentified *Sharia Councils*, took legal action before the Family Court to obtain a divorce and, in the alternative, the declaration of nullity of the marriage, with the consequent financial and support remedies for the children[16].

MARIA FRANCESCA CAVALCANTI, *op. cit.*, pp. 303-308. Per una panoramica sui profili dell'arbitrato in materia familiare, See MIRKO ABBAMONTE, Arbitrate more and litigate less. *I* family law arbitrations *nei sistemi giuridici di* common law, pp. 104-111.

[15] See REBECCA PROBERT, SHABANA SALEM, *The Legal Treatment of Islamic Marriage Ceremonies*, in *Oxford Journal of Law and Religion*, VII, n. 3, 2018, pp. 376-400.

[16] ENGLAND AND WALES FAMILY COURT, *Akhter v Khan*, 31 luglio 2018, [2018] EWFC 54, §1-9, 20. See, for the commentary on the judgment, PAOLA PAROLARI, Legal Polycentricity*, intergiuridicità e dimensioni "intersistemiche" dell'interpretazione giudiziale. Riflessioni a partire dal caso inglese* Akhter v. Khan, in *DPCE online*, n. 3, 2019, pp. 2109-2120; EAD., *Diritto policentrico e interlegalità nei Paesi europei di immigrazione*, pp. 172-179; FRANK CRANMER, *Does an unregistered nikah wedding give rise to a valid marriage, a void marriage or a non-marriage?*, in *Journal of Social Welfare and Family Law*, n. 41, 2019, pp. 96-99.

Published online on 15th October 2025.

The divorce petition was based on the presumption that the existence of a valid marriage could be inferred from the multi-year cohabitation, as well as on the fact that the *nikah* was recognized in the United Arab Emirates, a country in which the couple had resided for a number of years.

Mr. Khan, with the adhesive intervention of the Attorney General, replied that the marriage thus concluded was not simply null and void, but that it was a non-marital cohabitation, a "non-marriage" for the English legal system.

As for the action for nullity, the woman argued, on the basis of the old jurisprudence of the Ecclesiastical Court[17] that the case was governed by section 11 of the *Matrimonial Causes Act*, according to which the marriage is null and void, inter alia, when the parties have contracted the bond in violation of certain formal requirements[18].

The Family Court rejected the request for a divorce decree, since the presumption of the existence of a valid marriage was overridden by the multiple proofs presented by the husband showing that, from the beginning, both voluntarily engaged had chosen not to comply with the requirements of English law and that a second ceremony valid for the state system had never been held. Furthermore, it was irrelevant that in the United Arab Emirates the *nikah* celebrated in London enjoyed civil effects, because the trial was taking place entirely in the United Kingdom[19].

Unexpectedly, however, the action for nullity was accepted. In arguing the assertion that the *nikah*, although not solemnized under the *Marriage Act*, was a null marriage, and not a non-existent marriage, the author emphasized the obligation to interpret national legislation in the light of the international principles of protection of the fundamental rights of the person and the best interests of the child, enshrined respectively in Articles 8 and 12 ECHR and in Article 3 of the Convention on the Rights of the Child and of adolescence in 1989[20]. In other words, arguing the absolute irrelevance of a bond considered as marriage by the "spouses" themselves and by a plurality of subjects – including public ones, including school offices or health centers – who had come into contact with the "family", would have caused a serious damage for the position of the weakest subjects of the relationship, i.e. the couple's children and Mrs. Akhter.

From a substantive perspective, the judge concluded that, in order to entrench the jurisdiction of the Family Court and subsume the case in the *Matrimonial Causes Act*, it was sufficient, on the one hand, the intention to contract a real marriage – also with the commitment to carry out the formalities necessary

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[17] See FAMILY COURT, *Akhter v Khan*, §15.c, 51.

[18] The jurisprudence considers that the *Matrimonial Causes Act* of 1973 refers to sections 26 and 49 of the *Marriage Act* of 1949, respectively dedicated to Anglican marriages and other marriages celebrated with a religious rite. In order for the defect of form to produce nullity, it is necessary that the violation of the law is conscious and voluntary. Under penalty of nullity, the following are required: notification of the intention to celebrate the marriage to the civil registrar; the issuance of a valid marriage certificate by the civil registrar; the celebration in an authorized place; the presence of the civil registrar or an authorized person as officiant. See STEPHEN M. CRETNEY, JUDITH M. MASSON, REBECCA BAILEY-HARRIS, *Principles of Family Law*, VII ed., Sweet & Maxwell, London, 2002, pp. 26-27, e NIGEL LOWE, GILLIAN DOUGLAS, *Bromley's Family Law*, XI ed., Oxford University Press, Oxford, 2015, pp. 71-73. For an overview of religious wedding options in the UK, cf. REBECCA PROBERT, RAJNAARA C. AKHTAR, SHARON BLAKE, *Belief in marriage*, Bristol University Press, Bristol, 2023.

[19] FAMILY COURT, *Akhter v Khan*, §§14, 31-42.

[20] Ibid., §§58-89.

Published online on 15th October 2025.

for its registration in the future – and, on the other hand, the publicity of the deed, of which the presence of witnesses and the officiant and the presence of the officiant were circumstantial elements. exchange of vows[21].

The Court of Appeal, shifting attention to the public interest underlying the regulation of the registration of the marriage certificate, overturned the first instance judgment[22].

The *nikah* between Akhter and Khan, in fact, not only had not complied with some requirements, but was on the whole extraneous to the entire regulatory framework. The argument started from the incipit of section 49 of the *Marriage Act* of 1949, which specified that the grounds for nullity referred to marriages falling back «under the provision of […] this Act»[23]. The panel did not deny, therefore, the existence of multiple conceptions of marriage, but reiterated that the protection offered by the institutions of the State was limited to cases that could be subsumed in the legal type. Therefore, rather than speaking of *non-marriage* – an expression that did not take into account the complex social reality – the Court adopted the expression *non-qualifying ceremony*, to affirm the State's competence to grant secular effects to acts and relationships that, otherwise, would be exhausted in the religious sphere alone. To tell the truth, the ruling lacks a definition of qualifying and non-qualifying ceremony, on the contrary, with the declared intention of discouraging potentially abusive practices, the magistrates had refused to draw a distinction between vices that lead to nullity and vices that make the ceremony non-qualifying[24].

With regard to the alleged violation of human rights, the Court of Appeal reached a position opposite to that of the Family Court on the basis of Article 8 of the ECHR: the formalities required by national law would not constitute a disproportionate burden for the parties, who could have customized the legal scheme by using the Islamic rite[25]. Moreover, the parties agreed in the choice of the exclusively religious bond, so that it would be incorrect to attribute secular value to a confessional act.

Nor, finally, did the best interests of the children involved have a decisive weight, since it was a judgment on the validity of a legal transaction and not an action relating to the couple's children; moreover, the declaration of nullity would not have produced any use for the children, because section 1 of the *Legitimacy Act* of 1976 equates only those born of an invalid marriage contracted in good faith to legitimate children, which had not occurred between Akhter and Khan[26].

The appeal ruling, in resolving the conflict between religious freedom and the public requirement of the certainty of marital status, considered the latter to prevail, with the obvious aim of making the engaged responsible for the consequences of their choices. While the approach offers the advantage of

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[21] Ibid., §§90-92.

[22] ENGLAND AND WALES COURT OF APPEAL, CIVIL DIVISION, *HM Attorney General v. Akhter and Khan*, 14 febbraio 2020, [2020] EWCA Civ 122, §§28-31, with a commentary of RUSSELL SANDBERG, *Unregistered Religious Marriages are Neither Valid nor Void*, in *Cambridge Law Journal*, LXXIX, n. 2, 2020, pp. 237-240, e di RAJNAARA C. AKHTAR, *From "Non-Marriage" to "Non-Qualifying Ceremony"*, in *Journal of Social Welfare and Family Law*, XLII, n. 3, 2020, pp. 384-387.

[23] COURT OF APPEAL, CIVIL DIVISION, *HM Attorney General v. Akhter and Khan*, §§42-45.

[24] Ibid., §§64-66.

[25] Ibid., §§90-106.

[26] Ibid., §§107-119. Cf. STEPHEN M. CRETNEY, JUDITH M. MASSON, REBECCA BAILEY-HARRIS, *op. cit.*, pp. 517-519, e NIGEL LOWE, GILLIAN DOUGLAS, *op. cit.*, pp. 300-301.

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ensuring stability, it nevertheless risks consolidating the isolation of fringes of the United Kingdom's Muslim community and the reinforcement of customs that are detrimental to the dignity of the person, such as polygamy or arranged marriage[27].

In a certain sense, admitting that a *nikah* was capable of producing some effect, at least temporary, could have constituted an attempt to demonstrate that the legal system is not absolutely indifferent to the needs of members of groups who, despite being rooted in the territory, intend to keep their cultural specificity intact and remove their relationship from civil discipline.

There are many reasons for this: in addition to the scarcity of Islamic places registered under the *Marriage Act* of 1949, the factors that incentivize the *nikah* without civil effects range from the rejection of a Christian-based regulatory framework to the bureaucratic slowness related to residence documents, if one of the parties does not have UK citizenship; from the relative ease of ending a religious marriage without serious patrimonial consequences to the "opportunity" of establishing polygamous unions; from the lack of trust in secular authorities to the solicitations of the community to which they belong. In addition, in a climate of general cohabitation, Muslim couples, especially in the initial period of the relationship, use the *nikah* as a rite of passage with a purely sacred and moral value, since its celebration allows the parties to licitly consummate relations, and postpone the registration to the future, which will serve as definitive confirmation of the commitment of fidelity assumed[28].

Although the problem involves the entire state apparatus and, above all, political decision-makers, it is the jurisdiction that must take charge of the inefficiencies of the system which, despite multiple appeals[29], advances almost by inertia along the path of substantial indifference towards the phenomenon,

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[27] See SAMIA BANO, *Muslim Women and Shari'ah Councils*, pp. 142-180; MACHTELD ZEE, *Choosing Sharia? Multiculturalism, Islamic Fundamentalism and Sharia Councils*, Eleven International Publishing, La Hague, 2016, pp. 125-126; EMMA WEBB, *Fallen through the crack. Unregistered Islamic marriages in England and Wales, and the future of legislative reform*, CIVITAS, London, 2020; REBECCA PROBERT, *Determining the Boundaries Between Valid, Void and 'Non- Qualifying' Marriages: Past, Present and Future?*, in RAJNAARA C. AKHTAR, PATRICK NASH, REBECCA PROBERT, *op. cit.*, pp. 15-26.

[28] Cf. ISLAM UDDIN, *Nikah-only Marriages: Causes, Motivations, and Their Impact on Dispute Resolution and Islamic Divorce Proceedings in England and Wales*, in *Oxford Journal of Law and Religion*, VII, n. 3, 2018, pp. 401-426; RAJNAARA C. AKHTAR, *Unregistered Muslim marriages in the UK. Examining normative influences shaping choice of legal protection*, in MARIE-CLAIRE FOBLETS, MICHELE GRAZIADEI, ALISON DUNDES RENTELN (eds.), *Personal Autonomy in Plural Societies. A Principle and its Paradoxes*, Routledge, Abingdon, 2018, pp. 140-155; VISHAL VORA, *The Continuing Muslim Marriage Conundrum: The Law of England and Wales on Religious Marriage and Non-Marriage in the United Kingdom*, in *Journal of Muslim Minority Affairs*, XL, n. 1, 2020, pp. 148-160; RAJNAARA C. AKHTAR, *Religious-Only Marriages and Cohabitation: Deciphering Differences*, in RAJNAARA C. AKHTAR, PATRICK NASH, REBECCA PROBERT, *op. cit.*, pp. 69-84 (especially, pp. 73-76); ZAINAB NAQVI, *Nikah Ceremonies in the UK: a Tool for Empowerment?*, ibid., pp. 103-116,

[29] Among all, the speech delivered by the then Archbishop of Canterbury, Rowan Williams, at the *Great Hall* of the *Royal Courts of Justice* on February 7, 2008, stands out, in which it was considered inevitable that the English legal system would recognize certain institutions of Muslim law, in order to reduce the disagreements between loyalty to the State and conformity to religious precepts. The address, entitled *Civil and religious law in England: a religious perspective*, is published in ROBIN GRIFFITH-JONES (ed.), *Islam and English Law. Rights, Responsibilities and the Place of Shari'a*, Cambridge University Press, Cambridge, 2013, pp. 20-33. Cf. ROBIN GRIFFITH-JONES, *The 'unavoidable' adoption of shari'a law– the generation of a media storm*, ibid., pp. 9-19; JONATHAN CHAPLIN, *Legal Monism and Religious Pluralism: Rowan Williams on Religion, Loyalty and Law*, in *International Journal of Public Theology*, n. 2, 2008, pp. 408-441; MARIA FRANCESCA CAVALCANTI, *op. cit.*, 280-283, 289-293. On the dangers deriving

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often justified by the desire not to interfere in confessional affairs[30]. An example is the failure to approve the bills aimed at promoting the emergence of religious marriages, through the provision of sanctions against ministers of religion who do not provide for the registration[31] or the extension to the Islamic confession of the simplified regime that the legislation establishes in favor of Jews and Quakers[32]. The maintenance of the current legislation risks, in fact, configuring an unjustified difference in treatment on a religious basis, to which is added the failure to achieve the objectives that, in the intentions of the legislator, should have been pursued, i.e. the reduction of clandestine marriages and the guarantee of the seriousness of the obligations assumed[33].

b. *SM v. AN SM v. AN: collaboration with the Sharia Council for the acquisition of evidence in divorce proceedings*

While in England and Wales the registration formalities concern the place of celebration and the officiant, the Scottish model shows more flexibility. The *Marriage (Scotland) Act* 1977 requires only prior notification to the registrar of the intention of the bride and groom to marry, and allows temporary permission for celebrants[34]. In addition, in 2006 section 3A was introduced into the law, to allow the

from intra-community isolation, it is also interesting SECRETARY STATE FOR THE HOME DEPARTMENT, *The independent review into the application of sharia law in England and Wales*, London, Feb. 2018.

[30] On 16 September, during a debate in the House of Commons, Reform UK MP Sarah Pochin asked to the Minister of State for Justice Sarah Sackman the government's position on Sharia. The brief response of the representative of the Executive made it clear that, in the name of tolerance, it is necessary to let it be, guaranteeing Muslims the same opportunities as Christians and Jews in the choice of courts *of faith*: «Sharia law forms no part of the law of England and Wales, but where people choose to put themselves before those councils – in common with Christian, Jewish and other courts of faith – that is part of religious tolerance which is an important British value». See HOUSE OF COMMONS, *Debate 16th September 2025*, DCCXXII, col. 1336, https://hansard.parliament.uk/commons/2025-09-16/debates/31ED419B-62F5-420A-8D70-E44994F4BE0C/OralAnswersToQuestions.

[31] Finally, see the *Marriage Act 1949 (Amendment) Bill* presented to the House of Lords in the 2021-2022 session and never discussed. For an overview of the reform proposals that intercept the issue of Muslim marriages in the United Kingdom, see ALESSANDRO NEGRI, *Le Sharia Court in Gran Bretagna*, pp. 21-26, ID., *Dieci anni dopo il discorso dell'Arcivescovo di Canterbury*, pp. 441-460; AMIN AL-ASTEWANI, *Reflections on the Rise and Fall of the Arbitration and Mediation Services (Equality) Bill*, in *Public Law*, n. 4, 2017, pp. 544-552; CATHERINE FAIRBAIRN, *Islamic marriage in and divorce in England and Wales*, Briefing Paper, House of Commons Library, London, 2020, pp. 20-30.

[32] The historical presence of Jews and Quakers in the United Kingdom has meant that their places of worship are *ope legis* considered suitable for the celebration of marriages, without the need for further registration formalities, and that all their respective ministers of religion are authorized to draw up the marriage certificate, acting themselves as civil registrars. The discipline is contained in Sections 26(1)c, 26(1)d, 35(4), 43(3), 43B(8), 46(1D)b, 46(1D)c, 47, 53C(3), 53C(7), 53C(8), 67 *Marriage Act* 1949. See REBECCA PROBERT, RAJNAARA C. AKHTAR, SHARON BLAKE, *op. cit.*, pp. 18-26.

[33] See VISHAL VORA, *Unregistered Muslim marriages in England and Wales: The Issue of Discrimination Through 'Non-Marriage' Declarations*, in YASIR SULEIMAN, PAUL ANDERSON (eds.), *Muslims in the UK and Europe*, II, Centre of Islamic Studies, University of Cambridge, 2016, pp. 129-141, and REHANA PARVEEN, *From Regulating Marriage Ceremonies to Recognizing Marriage Ceremonies*, in RAJNAARA C. AKHTAR, PATRICK NASH, REBECCA PROBERT, *op. cit.*, pp. 85-101.

[34] See ANNE GRIFFITHS, JOHN M. FOTHERINGHAM, FRANKIE MCCARTHY, *Family Law*, IV ed., Thomson Reuters, 2015, pp. 311-316.

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pronouncement of civil divorce to be postponed, if judgments are pending before confessional bodies or there are religious impediments, which can be removed with the collaboration of the other party.

Bureaucratic simplification and openness to religious claims have created a climate of détente and cooperation in relations with religious authorities, who are committed to ensuring that confessional status corresponds to secular status[35].

An example is given by the Outer House of the Court of Session gave to the elements collected by the *Sharia Council* in the evaluation of the behavior of the parties in a divorce proceeding

The case started from the request proposed by the husband SM, a Pakistani citizen, against his wife AN, of British nationality, to obtain the dissolution of the union, for facts attributable to the woman who, according to the plaintiff, prevented any contact with her daughter NN.

The wedding had been celebrated in Pakistan in 2017 and, soon after, the couple had settled in Scotland. Due to some family disagreements and episodes of violence suffered at the hands of his wife's family, in April 2019 SM left the marital home, without knowing that AN had become pregnant. He later received a message from his wife telling him of the pregnancy, but he did not believe her, because already the woman had lied on the point. Only when the photos of the child appeared on social networks, did he hear that his daughter had been born in December. Applying to the Edinburgh registry office, SM discovered that the birth certificate did not show her name as her father[36]. Meanwhile, in autumn 2019 AN had turned to the local *Sharia Council* to ask for a religious divorce, which was finalized on January 8, 2020[37].

For her part, his wife, in addition to denying any wrongdoing, replied that the marriage contracted in Pakistan was irrelevant in the United Kingdom. Therefore, as she had also been advised by one of the lawyers of an association against domestic abuse, she did not believe that even the declaration of paternity was necessary[38].

For the Court, the issues to focus on were, on the one hand, the validity of the marriage contracted in Pakistan, on the other, the credibility of the facts narrated by the husband on the irremediable failure of the union and his right to establish a meaningful relationship with NN.

As for the validity of the marriage, the Court admitted it by referring to the assessments made by the Home Office when granting the visa to the husband. Not only that, according to the judge, it was not likely that the defendant believed that her *nikah* was invalid, because she had repeatedly threatened her husband by proposing the request for a Muslim divorce and the recognition of the same in Pakistan in order to have his visa revoked for family reasons, which actually happened, as proven by the certificate issued by the *Sharia Council* and filed in the file.

Regarding, then, the reliability of the husband, it should be noted that the Court used an affidavit of FQ, one of the members of the *Sharia Council*, who had managed the *khul'* initiated by his wife. Thanks

[35] See VISHAL VORA, *op. cit.*, pp. 140-141, e KHALDA WALI, *Divorce in Scots law and Sharia law*, in *Law Society of Scotland Journal*, LXI, n. 3, 2016, https://www.lawscot.org.uk/members/journal/issues/vol-61-issue-03/divorce-in-scots-law-and-sharia-law/.

[36] COURT OF SESSION, OUTER HOUSE, *SM v. AN*, 19 maggio 2021, [2021] CSOH 60, §§5-26.

[37] Ibid., §4.

[38] Ibid., §35.

Published online on 15th October 2025.

to his statement, it was concluded that, when the judgment was introduced, the woman was pregnant and that the choice not to mention her father in the birth certificate constituted a false statement[39]. FQ's affidavit reported the harassment suffered by her husband and also his intention to repudiate his wife with a *talaq*. On the basis of the data offered in the preliminary investigation, the Court considered the requirements provided for by section 1(2)b of the *Divorce (Scotland) Act* of 1976, i.e. the irretrievable breakdown of the union and the end of cohabitation, to be proven, and granted the divorce. As for the reconstitution of the bond with the daughter, the Court ordered that periodic contact should begin gradually, so as not to disturb the child's psychic development[40].

Overall, the ruling, although it considers a marriage with elements extraneous to domestic law, offers the opportunity to think about the dialogue between civil and religious jurisdiction from a non-conflictual perspective, especially for the ability of the latter to obtain a more effective collaboration between the litigants. Obviously, interinstitutional cooperation will have to take place balancing the needs of protection of fundamental rights with respect for the confidentiality commitment that the confessional body assumes towards litigants.

Specific limits could be introduced to the confidentiality of information provided in a religious mediation procedure, such as the existence of indications about the commission of intra-family offenses or abuse, or the best interests of minors, or even the defense of vulnerable subjects. Furthermore, once the person who supervises a religious ADR has news of such events, he should suspend the process and make a specific communication to the competent state bodies.

c. *In re AG: Public authority in the face of the risks of an arranged marriage*

While in the first two rulings the object of contention is the marital crisis, the sentence that will now be analyzed concerns the influence of the religious environment of reference in the freedom to contract marriage. The facts of the case concern the appeal, brought by Luton Borough Council in 2022, for the issuance of measures to protect a twenty-four-year-old, identified by the initials AG. The legal basis was the *Forced Marriage (Civil Protection) Act* of 2007 and the *Mental Capacity Act* of 2005[41].

The requests were part of a serious framework of socio-family distress and cultural isolation. The sentence, which traces the background to the intervention of the local administration, reports that the young woman suffered from learning disabilities and difficulties in managing emotions and had already attempted suicide in September 2019 two weeks before getting married. The self-harming act had been

[39] Ibid., §§12, 44, 58.

[40] Ibid., §§55-66.

[41] ENGLAND AND WALES COURT OF PROTECTION, *Re AG (Welfare: Forced Marriage Protection Order)*, 15 marzo 2024, [2024] EWCOP 18, §§1-6; per la disciplina del *Forced Marriage (Civil Protection) Act* del 2007, cf. NIGEL LOWE, GILLIAN DOUGLAS, *op. cit.*, pp. 197-201, and HM GOVERNMENT, *The Right to Choose: Multi-agency statutory guidance for dealing with forced marriage and Multi-agency practice guidelines: Handling cases of forced marriage*, London, Feb. 2023. For the *Mental Capacity Act* of 2005, I refer to DEPARTMENT FOR CONSTITUTIONAL AFFAIRS, *Mental Capacity Act 2005. Code of Practice*, The Stationery Office, London, 2007, e a RICHARD JONES, *Mental Capacity Act Manual*, VI ed., Sweet and Maxwell, London, 2014.

Published online on 15th October 2025.

justified by AG as a signal launched to be heard and receive help. The parents, for their part, claimed that it had been a disproportionate reaction to a quarrel that had occurred at school.

Despite the serious episode, the woman went to Pakistan and contracted a *nikah* with a cousin, with whom she would have lived only ten days, and then returned home. In 2021, at the instigation of the Home Office, which had received a visa application from the husband to reunite with his wife, the social services took an interest in the case and proceeded to assess AG's ability to express valid consent. The operators' report provided a negative answer to the question, also because it seemed that her father and older brother had given her suggestions during the sessions. To aggravate the position of the parents there was the circumstance that they had locked their daughter in the house, confiscating her cell phone, because they had discovered her engagement to a man known in England[42].

The facts precipitated in January 2022, when AG was found wandering the street, after fleeing the hospital before doctors started therapeutic treatment after another suicide attempt. Following this, Luton Borough Council brought proceedings in the Court of Protection for the adoption of measures to protect the woman, which were granted as a precautionary measure until removal from the family home and placement in a community. During the interviews with the social workers, in fact, the pressure of the parents emerged so that the daughter left her boyfriend, returned to Pakistan and stopped dressing in the Western style.

In resigning its conclusions to the outcome of the investigation, the local authority applied to the Court of Protection for a FMPO, prohibiting the family members, for a period of one year, from any act inducing AG to marry; inhibiting any request on their behalf, on behalf of the young woman, for travel documents, held by the same administration; preventing the woman from leaving the country without the presence of an accompanying person. In addition, the approval of an assistance plan was requested, with a consequent partial limitation of the capacity to act, as the girl was considered incapable of providing for herself in some aspects of social life.

Nevertheless, during the trial, the psychiatric report denied the initial observation on AG's inability to give informed marital consent; therefore, since in the meantime the girl had expressed the desire to divorce, the Court required the parents to contact the competent *Sharia Council* so that it could arrange the *khul'* according to Islamic law and also dealt with the issues concerning the recognition of the termination of marriage for the foreign legal system[43].

Leaving aside the questions inherent in the conditions for grading the limitations on the girl's capacity to act, the part of greatest interest is the analysis of the social and religious context in which AG had grown up and the influence that Islamic precepts had had on the education imparted to her. For the Court of Protection, the behavior held by the parents was not to be evaluated as a lack of affection towards their daughter, on the contrary, in the sentence we read words of praise for the efforts undertaken to collaborate with justice, despite the scarce economic resources[44]. Rather, according to the drafter, due to the rigor in fulfilling the precepts of their faith, they were unable to weigh their choices and the impact

[42] COURT OF PROTECTION, *AG (Welfare: Forced Marriage Protection Order) Re*, §§7-14.

[43] Ibid., §§28-51.

[44] Ibid., §124.

Published online on 15th October 2025.

they had had on the psyche of the young woman, already compromised by her previous health condition[45].

There is more: due to the shortcomings in the investigation conducted by the social services, the judge comes to doubt that the marriage contracted in Pakistan, although arranged, was forced. According to them, there was no evidence of the conflict between the will of the parents and that of their daughter, who had never reported physical abuse during the period in which the *nikah* had taken place[46].

The conclusion is the issuance of a FMPO of limited duration, to collect further elements about the risk that the return to Pakistan will have detrimental consequences, especially following the completion of the Islamic divorce[47].

The approach that the Court of Protection has adopted is characterized by sensitivity to the issue of the contrast between loyalty to Muslim ethics, which for AG's father and mother was the basic criterion in the girl's education, and the girl's freedom to move away from that cultural model to open up to Western values. However, in balancing the needs, the court took care to find a key that would make the decision-making process intelligible to the parents as well. In fact, having ordered the obligation for parents to turn to a *Sharia Council* for the processing of paperwork to obtain a religious divorce relating to a marriage never registered in the United Kingdom, represents a clear sign of the cooperative attitude of the State, which, in order to achieve the purposes of safeguarding the person, must also rely on religious confessions and their bodies.

The effort made by the court not to fall into easy prejudices against the Islamic minority is also appreciable: in several points, in fact, one perceives criticism for the attitude of the social workers, who had not adequately investigated the uses and customs of the group to which AG belonged and had hastily concluded for the girl's substantial inability to express marital consent[48].

3. *The other "side" of interinstitutional dialogue: the example of "The Sikh Court"*

If the analysis has concerned the orientations of secular jurisprudence, some signals also come from the world of confessions, which perceive the urgency of avoiding direct confrontation and stimulating the dynamics of integration, also with the strengthening of their authority and ability to respond to the challenges of the contemporary world.

If, in fact, the state judge finds himself finding the point of balance between the intersecting systems, balancing the demands – sometimes divergent – between the equal enjoyment of fundamental rights and the application of norms coming from a universe of values different from that of the Western type, religious communities, aware of the growing secularization, are faced with the dilemma between loyalty to divine precepts and respect for the duties deriving from the belonging of the faithful to the civil community.

[45] Ibid., §130-131.
[46] Ibid., §119-120, 126.
[47] Ibid., §§137.
[48] Ibid., §§117, 132-136.

Published online on 15th October 2025.

One response to the tension comes from the Sikh minority, which in June 2024, after a long period of consultation involving both community members and representatives of the legal professions and ADR experts, founded *The Sikh Court* in London[49].

The presentation published on the website[50] clarifies that it is an entity that offers alternative dispute resolution services through the hybrid model of the med-arb[51], i.e. mediation which is followed, in the event of persistent disagreement, by the issuance of a binding and enforceable arbitration award pursuant to the *Arbitration Act* of 1996[52].

Arbitrable matters include civil and commercial disputes, with the exception of those relating to the validity and dissolution of marriage, international child abduction, the capacity of the subjects to act and decisions on the end of life[53]. The applicable law is distinguished according to the phases: during mediation, conducted by a "magistrate", Sikh confessional principles will be used, while the arbitration award will be issued by "judges" applying English legislation[54]. The distinction between mediators and arbitrators is aimed at protecting the impartiality of judgment and preventing what happened in the previous stage from influencing the final decision. If, during the sessions, situations relevant to the state system emerge, especially if they are of a criminal nature, the mediator or arbitrator is required to promptly inform the competent authorities[55].

Among the profiles that deserve attention is the sharing of the foundation project with people who do not belong to the Sikh religion, who were involved as consultants in the initial phase of the project and made themselves available for the training of those who, later, would arbitrate disputes[56]. In addition, ADR services are not reserved for members of the denomination, but are open to all possible interested parties. It is no coincidence that the idea that the *Sikh Court* wants to convey is that of complementarity with the English judicial system, which alone cannot satisfy the citizens' demand for justice[57].

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[49] See JOHN GOULD, *Spot the Judge*, in *New Law Journal*, 21 Jun. 2024, pp. 7-8. On the legal treatment of the Sikh minority in the United Kingdom, I refer to CRISTIANA CIANITTO, *Minoranze e simboli religiosi. I sikh tra identità e cittadinanza*, Giappichelli, Torino, 2024, pp. 101-134.

[50] https://www.sikhcourt.co.uk/about-us/.

[51] *Sikh Court Rules*, *Introduction*: «The rules of The Sikh Court are devised to guide the mediation-arbitration ("med-arb") process, which brings mediation and arbitration into a single two-stage process with a mediation first stage followed by a mandatory arbitration second stage to render a binding decision on any issues that are not resolved in the mediation stage. This framework empowers disputing parties to engage in mediation with the assurance of a binding resolution through arbitration if mediation is not successful».

[52] See https://www.sikhcourt.co.uk/faq/.

[53] See *Sikh Court Rules*, Section 22(2).

[54] Ibid., Section 15, and https://www.sikhcourt.co.uk/application-process/.

[55] Ibid., Section 23.

[56] Cf. *Sikh Court Rules*, *Preamble*: «The Sikh Court stands as an alternative dispute resolution (ADR) forum founded by lawyers and judges with a diverse range of backgrounds, non-Sikh lawyers and legal scholars have made invaluable contributions to this initiative, enriching its scope and efficacy».

[57] Cf. *Sikh Court Rules*, *Introduction*: «The Sikh Court is complementary to the English legal system, alleviating pressure on the courts by addressing appropriate disputes efficiently. Encouraged by His Majesty's Courts and Tribunals Service (HMCTS), ADR initiatives like The Sikh Court are pivotal in enhancing access to justice and reducing the backlog within the justice system».

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It would seem, at least from the intentions of the founders, that the creation of the *Sikh Court* has as its objective the overcoming of the difficulties encountered by the *Sharia Councils*, especially in terms of clandestinity, excessive informality with compression of the right of defense, accusations of fundamentalism and intra-community closure, lack of sensitivity of mediators for the secular profiles of decisions.

Certainly, having laid the foundations for a Sikh system, ideally complementary to the civil one, can become a form of surreptitious religious propaganda, given that the mediation process can easily be used to convey the values of confession in an atypical, but no less incisive way[58].

While waiting to see the developments and reactions of the British legal system in the face of this new phenomenon, for the moment we can only hope that the intentions of the founders will find a complete realization in a legal system that can guarantee equality and freedom, respect for fundamental rights and religious specificities, dialogue between social actors and commitment to safeguarding the right to be oneself.

[58] In this sense, the *National Secular Society's appeal* to the British Parliament to limit the activity of religious courts in the United Kingdom, which can be consulted on https://committees.parliament.uk/writtenevidence/140273/pdf/.