

Jamiyat Central Mosque

68-69 Southfield Square, Bradford, BD8 7SN

Tel: 01274 729087

Email: info@jamiyat.org / Web: www.jamiyat.org

(ESTABLISHED IN 1963)



JAMIYAT

TABLIGH-UL-ISLAM est. 1963

Uniting Humanity to Promote Peace

JAMIYAT SHARIA COUNCIL

Dear Sister

Date:

Assalamu alaikum

In order to begin proceedings, **please carefully read the Procedures and complete the enclosed application form.** Please send it to our correspondence address:

9 Darfield Street Bradford BD1 3RU, Car Park Entrance, Infirmary St, Bradford BD1 3SF

You may also scan the application form and send it via email to enquiries@jamiyat.org

We also require with your application the following:

1. A copy of your marriage certificate. If you do not have this document, please contact us to obtain a Statutory Declaration Form which is accepted by the Council as a replacement for the marriage certificate.
2. A signed and dated personal statement outlining the reasons for seeking an Islamic Divorce (for further details, see overleaf)
3. A colour scan of photo ID (such as a passport or driving license) and proof of address (such as a bank statement or utility bill).

We charges **£425.00** for this service. There are no other additional charges or fees. Please make the payment once your application is approved.

Bank transfer

Jamiat Tabligh-ul-Islam

Sort code: 30 63 55

Account Number: 7799 0060

Please quote your **full name** for **reference**.

Yours sincerely,

Liaqat Hussain
JTI

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If your marriage was registered with the office of the Registrar of Marriages in the UK, or was conducted outside the UK and in accordance with the law of that country, you will be asked by the JAMIYAT Shariah Council to initiate Civil Divorce proceedings so that you can obtain a Decree Absolute (Civil Divorce) as well. This is a requirement of UK law to be recognised as legally divorced.

In both cases, the Shariah Council will usually **NOT** issue an Islamic Divorce until the Civil Divorce is pronounced.

If you withhold or conceal any information regarding this case, or provide us with misleading information, the decisions taken by the Shariah Council will be null and void and any divorce certificate issued to you will no longer be valid.

PETITIONER'S SUBMISSION

Please use a separate sheet of paper for your petition.

Please bear in mind that the Shariah Council may ask you to provide evidence to support your submission/statement. To help us in your application and to help you through this process as quickly as possible, please consider the following advice:

1. Be precise and brief.
2. Type/print your statements IN ENGLISH.
3. At the end of your statement;
 - a. Print your name in full in BLOCK CAPITAL LETTERS;
 - b. Sign and Date.
4. Send the original signed copy of your statement with your completed application.
5. Keep a copy for your own records.

Note: A copy of your statement will be forwarded to your spouse. Please do not share any information you do not wish to disclose (e.g. your current address or location).

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1. The applicant must submit all the required information in full to the Shariah Council by completing an application form and providing us with copies of the required documents.
2. All the completed forms and information received will be checked and processed confidentially at the office of the Council. If further information is required, the applicant will be contacted.
3. Once all the information has been received, the applicant will be acknowledged with a reference number for the case and a receipt for the payment of the charges.
4. Once the case is open, the husband (respondent) will be issued with a notice and asked to either approve the applicant's request for divorce, or to share with the Council reasons for not doing so. He will have thirty days to do so, and the Council may grant an extension based on reasonable grounds.
5. Along with the first notice, a copy of the applicant's statement is usually shared with the respondent, as they have the right to know the reasons for requesting divorce. If the applicant does not wish to share the statement, they must notify the Council and provide a valid reason.
6. If he writes to the Council and opts to defend his case, asks for reconciliation, or wishes to discuss the case in more detail;
 - a. The applicant will be invited to participate in a joint meeting with the applicant.
 - b. The meeting is not necessarily for reconciliation, as reconciliation can take place only if both parties agree to it. The purpose of this meeting is to avoid a back and forth, and also to avoid delays in arriving at a conclusion and drawing to a closure.
 - c. Failure or refusal to attend such a meeting will result in unnecessary delays and **may result in the dismissal of the case.**
 - d. A meeting will NOT be called if a restraining order or any similar injunctions have been issued against one of the parties.
 - e. The Council may, at the request of the respondent (husband), allow a reasonable period for genuine reconciliation efforts to be made by the husband through his own resources and family contacts.
 - f. As per the rules of khula, the husband has the right to demand the repayment of the mahr (as specified on the nikah certificate) in exchange for divorce in normal circumstances.
 - g. If the husband agrees to divorce the applicant with such conditions e.g. he demands some repayment of the mahr to approve the khula or demands any jewellery given to the applicant at the time of the marriage to be returned, such an offer will be adjudicated by the Council and a decision will be made accordingly.
 - h. Matters such as child custody and financial claims are outside of our jurisdiction and will not be adjudicated by the Council. Such matters must be settled in a court of Civil Law.
 - i. However, in such matters the Council, on moral grounds, can impose or advise some conditions with the divorce.
7. If the respondent does not reply to our first notice in time, then a second notice will be sent, giving them a repeated opportunity.

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8. If we receive no reply to our second notice, a third and final notice will be sent to them.
9. If the Council does not receive a reply to its third and final notice within thirty days, the case will be presented to the Board of Scholars at the Council at its first meeting after expiry of the thirty days' notice period to make a decision for the case. The Board of Scholars typically meet every three months.
10. If the Board unanimously decides to dissolve the Nikah, an Islamic Divorce may be issued within two weeks of this decision, and a certificate posted to the applicant, and usually the respondent as well.
11. In cases where a Civil Divorce (Decree Absolute) is also required, **the Council will not issue an Islamic Divorce until the applicant has received their Decree Absolute** to avoid any potential conflict between the Law of the land and Islamic Law (Shariah).
12. If the Council concludes its proceedings before the pronouncement of Civil Divorce, a Letter of Entitlement of Islamic Divorce will be issued to the applicant.
13. The certificate of Islamic Divorce will only be issued to the applicant when the Council has received a copy of their Decree Absolute.
14. Submitting this application form **is not a guarantee that divorce will be granted**. Every case will be dealt with independently, and the Council will always prioritise upholding the laws and guidance of the Shariah, even if it means the outcome may not always be in favour of the applicant.
15. The length of every case varies, depending on a number of factors, including the cooperation the respondent. If both parties are residents of the United Kingdom, the average duration of the case is 6 – 9 months. If one of the parties resides abroad, it may take longer.
16. If the applicant withholds or conceals any information regarding the case, or provides the Council with misleading information, the Islamic Divorce issued by the Council will become null and void.
17. Once an Islamic Divorce is granted, the Council has the authority to suspend the decision if the husband lodges an appeal within the Iddah period (approximately 3 months). This appeal must be supported by evidence that challenges the accuracy of the Council's decision. The Council will conduct thorough investigations to ensure fairness. These investigations will be completed within a reasonable timeframe, and based on the findings, the divorce will either be confirmed or withdrawn.
18. Case files will be securely retained by the Shariah Council for a period of six years from the date of application, after which they will be safely destroyed.
19. The Council will only contact the applicant **on a need to basis**. Please note the council does not provide updates except when necessary.
20. The Shariah Council reserves the right to terminate the application and **without a refund** if any of the terms mentioned above are breached by the applicant. Furthermore, the Shariah Council may also close the case **if applicants direct any sort of abuse or disrespect towards our staff**.

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1. LETTER OF AUTHORISATION & ACCEPTANCE

I (name of the Wife)

of (Address)

Email

Tel/ Mobile

authorize the Muslim Law (Shariah) Council UK to investigate my case and to consider my application to obtain an Islamic Divorce according to the Procedures of the Council, and agree to the conditions below:

1. I promise to accept the decision of the Council irrespective of my own personal interests in order to maintain the authority of the Shariah over all other considerations.
2. If I withdraw my application before the Council's decision, I understand that once the Council has initiated the proceedings, **I will not be able to claim the refund of the fee paid.**
3. I confirm that I have not applied to any other Shariah Council in the UK or abroad for my Islamic Divorce. Before I do so, I will inform the Council and withdraw this application.
4. I also promise not to enter another marriage contract (Civil or Islamic) before the verdict of the Council.
5. I also solemnly swear that I am not violating any of the matrimonial laws of the Shariah.
6. I confirm that I have read the Procedures of the Shariah Council I agree to them.
7. I acknowledge that I will not be granted an Islamic Divorce if I require a Civil Divorce.
8. I understand and agree that the file for my case will be securely retained by the JAMIYAT Shariah Council for a period of six years from the date of my application, after which it will be safely destroyed.
9. I understand that the Shariah Council must treat all its clients with respect. In return, the Shariah Council will not tolerate any abuse towards its staff. Any verbal abuse or threats will be treated as a strong offense and the Council will take the strongest possible action against such behaviour.

Signed

Name in BLOCK CAPITALS

Date

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Witness 1:

The first witness **MUST** be a professional person or someone well-respected in your community, such as a councillor, GP, dentist, police officer, solicitor, Imam, teacher or lecturer.

The person witness must not be related to you or living at the same address as you.

We confirm that _____ has signed in my presence.

Signed	_____
Name in BLOCK CAPITALS	_____
Date	_____
Organisation name	_____
Role	_____
Email	_____
Tel/Mobile	_____

Witness 2:

Please note that the second witness **MUST** be a Muslim man/woman over the age of 18.

We confirm that _____ has signed in my presence.

Signed	_____
Name in BLOCK CAPITALS	_____
Address	_____
Email	_____
Tel/Mobile	_____

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2. PERSONAL DETAILS

About Yourself:

1. Full Name _____
2. Father's Name _____
3. Date of Birth _____
4. Country of Birth _____
5. Nationality _____
6. Occupation _____
7. Marital Status First Marriage Second Marriage
 Third Marriage
8. Religious Status Muslim by birth Converted to Islam before marriage
 Converted to Islam at the time of marriage

About Your Husband:

1. Full Name _____
2. Father's Name _____
3. Date of Birth _____
4. Country of Birth _____
5. Nationality _____
6. Occupation _____
7. Marital Status First Marriage Second Marriage
 Third Marriage
8. Religious Status Muslim by birth Converted to Islam before marriage
 Converted to Islam at the time of marriage

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3. PARTICULARS OF MARRIAGE

1. Date of Islamic Marriage (*Nikah*) _____
2. City of Islamic Marriage _____
3. Country of Islamic Marriage _____
4. Total amount of Dower (*Mahr*) agreed at the time of Islamic Marriage _____
5. How much has been paid?
(Please specify currency as well) _____
6. How much has been deferred?
(Please specify currency as well) _____
7. Date of Civil Marriage (if applicable) _____
8. City of Civil Marriage (if applicable) _____
9. Did you live together after the marriage? Yes No
10. Was the Marriage consummated? Yes No
11. Date of separation _____
12. Was your husband providing you with maintenance before separation? Yes No
13. Are you receiving any maintenance from your husband after separation? Yes No

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4. PARTICULARS OF JEWELLERY & VALUABLES

1. Have you received items of jewellery/valuables/land from your husband or his relatives (at the time of marriage or afterwards) **as wedding gifts (not personal gifts)**? Yes No

2. If the answer to Question 1 is 'Yes', please give details below:

	NAME OF ITEM (Ring, Bracelet, Property etc.)	HOW MANY?	COMPOSITION (Gold, silver, diamonds, etc.)	ESTIMATED VALUE (£)
1.				
2.				
3.				
4.				
5.				

5. DETAILS OF CHILDREN

1. Do you have children from this marriage? Yes No
2. If 'Yes', do the children live with you? Yes No

Please give details of all your children from this marriage:

NAME OF CHILD	GENDER OF CHILD	CHILD'S DATE OF BIRTH

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6. PARTICULARS REGARDING CIVIL DIVORCE (DECREE ABSOLUTE)

If your marriage was registered with the office of the Registrar of Marriages in the UK or was conducted outside the UK and in accordance with the law of that country, you will be asked by the JAMIYAT Shariah Council to initiate Civil Divorce proceedings so that you can obtain a Decree Absolute (Civil Divorce) as well. This is a requirement of UK law to be recognised as legally divorced.

In both cases, the Shariah Council will usually **NOT** issue an Islamic Divorce until the Civil Divorce is pronounced.

1. Do you require a Civil Divorce? Yes No
2. Have you applied for a Civil Divorce? Yes No
3. Has your spouse applied for a Civil Divorce? Yes No
4. Have you already obtained a Civil Divorce? Yes No

4. If your answer to Question 4 is 'Yes'

a. Date of Decree Nisi: _____

b. Date of Decree Absolute: _____

c. Name and address of the Court where the Civil Divorce was declared: _____

d. Who initiated the Divorce proceedings? Me My Spouse

5. If you initiated the Divorce proceedings, has your spouse consented to this Divorce? Yes No

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7. CORRESPONDENCE INFORMATION

A. Your Correspondence Details

Please write clearly in BLOCK CAPITAL LETTERS.

Name:			
Address:			
		Postcode:	
Email:			
Tel/Mob:			

B. Your Statement

As part of our proceedings, your statement will be shared with your husband along with the first notice. In certain extenuating circumstances, your statement may not be shared.

If such circumstances are applicable in your case, then please tick this box:

The Council will contact you to discuss this further.

C. Your Husband's Correspondence Details - **Please do not send your application without these details.** If this is not known, please insert the address of their nearest relatives living in the United Kingdom or abroad.

Name:			
Address:			
		Postcode:	
Email:			
Tel/Mob:			