

# House of Lords debates FGM and Sharia Law in the UK

Posted: Fri, 12 Dec 2014

On Thursday 11 December, there were debates in the House of Lords on female genital mutilation (FGM) and the "impact of Sharia Law on the United Kingdom."

In the first debate, on FGM, raised by Baroness Rendell of Babergh, peers asked about Government progress in encouraging prosecutions under the Female Genital Mutilation Act 2003.

Baroness Tonge, an honorary associate of the NSS, spoke of how FGM "causes untold physical damage to a woman" and equated the practice to a family member sexually abusing a young girl. Lady Tonge called for parents to be prosecuted if their child is the victim of FGM.

Lord Faulks, Minister of State for Civil Justice and Legal Policy, noted that "it is a source of frustration to all noble Lords that while FGM has been a specific criminal offence for 29 years—the original Act—no prosecutions were brought."

Addressing an ongoing FGM court case, Lord Faulks added that "It is probably not appropriate to comment on what one hopes the outcome of the case would be, but, whatever happens, the publicity that will attend that prosecution should, I hope, send a strong message in itself."

The Minister cited research part-funded by the Government which "revealed that approximately 60,000 girls are at risk of FGM in the UK."

Lord Faulks told the House that: "The Government are committed to preventing and ending the harmful and unacceptable practice [of FGM]. I agree that successful prosecutions are a key part of stamping out FGM and would send out a strong message on the rule of law."

In his closing remarks, Lord Faulks added that he was glad that "we have left the exaggerated respect for cultural norms and traditions" behind, and he told the House that "the Government are committed to doing everything we can" to stamp out FGM.

In the following debate Baroness Flather, also an honorary associate of the NSS, asked for the Government's "assessment of the impact of Sharia law in the United Kingdom, particularly on women."

Baroness Flather noted that there were now more than 80 Sharia councils in the UK, and argued that "they are not trained lawyers" and raised concerns that the councils do not keep proper records and make "ad hoc" judgements. Citing the retired Bishop of Rochester, Lady Flather argued that "Sharia is discriminatory against women, not only in relation to marriage and children, but in most aspects."

Baroness Warsi began her comments by urging Lady Flather to "read back the speech that she just made." Lady Warsi questioned whether the peers were "debating a series of headlines which regularly appear in the *Daily Mail*." Lady Flather responded that "there is so much evidence which has been collected by various researchers and taken from women. These are their own stories and views; this is not about headlines."

Lady Warsi continued, arguing that there was a difference between "Sharia and Sharia law" and that "Sharia exists in the United Kingdom in our multicultural society." Lady Warsi raised the example of Sharia-compliant financial bonds and student loans, as well as halal food and circumcision.

Addressing the issue of Muslim women left without rights in unrecognised *nikah* Islamic 'marriages', Lady Warsi suggested that the Government might formally recognise Islamic religious 'marriages' so that men with multiple wives could be charged with bigamy.

Baroness Cox then drew attention to the situation of women trapped in Islamic 'marriages', and discussed a new report on that subject (covered by the NSS [earlier this week](#)). The report detailed the concerns that Lady Flather raised, that women in Islamic 'marriages' are left without legal protection in the event of a 'divorce' and that many Muslim women are unaware of their legal rights.

Lady Cox said: "several Muslim women have told me that men in their communities may each have up to 20 children," adding that this leads to children growing up in "dysfunctional families." Citing information from the report, Lady Cox said: "Two-thirds of those who are married are in polygamous marriages. Some say that they did not know that they were a second or third wife when they were married. Of these, almost all said that their husbands fail to provide them with financial support, in contravention of Islamic teaching. Many of these women are desperately unhappy."

Lord Ahmad, concluding the debate, said "there is no parallel court system in this country" and that the Government "have no intention of changing this position in relation to any part of England and Wales." Lord Ahmad added that "the law of the land will prevail irrespective of what religious practice or community you may belong to."

NSS Executive Director Keith Porteous Wood, who was present at the debates, said it was "shameful" that despite being outlawed, so much FGM was still being carried out in the UK and "going almost entirely unpunished."

On the subject of unregistered marriages, he said it was "deeply problematic" that so many people were undergoing Islamic marriages without also undergoing civilly registered marriages. "In the event of a marriage break-up, this leaves many British citizens, particularly women, in a very vulnerable position without any financial remedies. It also allows polygamy to be practised on an industrial scale."

He added: "Lady Tonge, Lady Flather and Lady Cox should be congratulated for their part in these debates on topics which the Government and Parliament have in the past shied away from. It is to be hoped that the Minister's assurance that "exaggerated respect for cultural norms and traditions" has been left behind augurs better for the future."

*The full text of the debates can be read [here](#).*

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