

Law firms who offer sharia advice in breach of insurance regulations, says new research

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Research by the Lawyers' Secular Society has exposed serious risks for law firms who offer advice on sharia law.

Law firms in England and Wales are obligated to have indemnity insurance for all of their activities to protect themselves and their clients. However, an LSS investigation has revealed that despite how "sadly very common" it was for "English law firms to provide 'sharia law' advice", experienced insurers and brokers told the LSS that they had never "seen or heard" of sharia law advice being declared on insurance forms. The LSS argues that firms who offer "sharia advice" are obliged to notify their insurers and get the activity covered by their insurance policies.

The British Insurance Brokers' Association told the LSS: "It would certainly appear to be the case that solicitors that provide Sharia Law advice should disclose this to their insurer, so that the insurer understands the specialist area of the law in which they operate."

Many others whom the LSS contacted agreed that insurance policies would be needed to cover the issuing of sharia advice. According to the LSS report, "one experienced insurance broker was adamant that sharia would certainly require specific declaration on an insurance form in order for it to be covered".

The Financial Conduct Authority was also said to be concerned about law firms providing sharia advice without declaring the activity to their insurance provider.

When the LSS confronted some law firms who "openly provide advice" on sharia law within England and Wales, rather than advising on codified Islamic law in other countries, some hung up the phone, others refused or were unable to answer the question whilst one simply said "we comply with the law".

LSS Secretary Charlie Klendjian said he was pleased the organisation had started the "sorely-needed" conversation.

He added: "Any law firm that provides advice on 'sharia law' must now seriously consider, for their own sake as well as that of their clients, whether 'sharia law' is really an appropriate area for that law firm to venture in to. If they believe it is, they must declare it to their insurers and they must be prepared to pay whatever the additional premium is. Similarly, the insurance industry must consider how, if at all possible, they can price the risk of advice on such a nebulous, shape-shifting and uncodified subject.

"We hope our investigation helps to empower lawyers, especially the younger members of our profession, to say 'no' if they are leant upon by their employers to get involved in sharia, due to the uncertainty and professional risks that our investigation has revealed. Many young and aspiring lawyers are desperate for work in the legal profession and it is not right that they should be under any pressure to develop their knowledge of 'sharia law'".

Mr Klendjian added that sharia had an "abysmal" human rights record, and that the House of Lords has held sharia to be "incompatible" with the European Convention on Human Rights. He questioned how offering sharia advice could ethically "sit alongside" a law firm's "Corporate Social Responsibility" policy.

The full LSS report can be read [here](#).

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