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| **Researcher(s): (Initials) Name** | I | Interviewer |

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| **I** | Okay. So, I’m recording now. So, I will start with the first question. So, can you tell me about the last wedding ceremony that you conducted in England and Wales and specifically focus on the type of ceremony and the location please. |
| **R** | So, I don’t remember the exact date of that ceremony, but I think it is 3 months back, during COVID. So, we followed the Government guidelines of having 15 people. And there were less than 15 … 10 people with the seating arrangement was perfect. So, this is held in [name of place] Mosque and Community Centre with [inaudible] Mosque and community centre and … in [city]. And this was a very traditional Islamic Nikah where 5 people from the groom’s side and 5 people from the bride’s side came as a witness. They stayed … they sat in a certain place. So, I conducted this and before starting the session I … normally what is my … doing the ceremony is that I give insight into the concept of marriage Islamically for husband – for groom and bride – and the language is varied because sometimes we have some people who are good in English, but the parents are not familiar … they are not understanding English. So, I use both languages, English and Urdu, and Punjabi sometimes for Kashmiris and so, also know that the wedding ceremony, the starting of this is in Arabic, which is called Khutbah. So, 3 or 4 languages all the time working there, yeah. So, this is what happens. So, this was very basic Islamic traditional Nikah where people from both sides came. I advised them what is the concept of Nikah, the wedding in Islam. I explained to them and then had a little advice to the people who joined the session. This was also inclusive. And then they held an Islamic marriage. |
| **I** | Okay. Thank you. Thank you for that. Okay. So, is it usual for you to meet or otherwise communicate with the couple before the wedding ceremony? |
| **R** | It depends. So, I normally … personally I talk to … mostly things come from parents’ side. Sometimes groom also comes, sometimes bride and her family come. So, I personally say to them, “yes, please meet me”. But normally what happens most of the time people come last minute or one week earlier. So they’re so busy that they say, “I don’t have time” and so … but I always advise them to meet me before and, “let’s talk about marriage. How marriage goes. What is the true concept of marriage?” And mostly people don’t come. This is why, before the marriage, I don’t just conduct the marriage Khutbah, like 5 or 10 minutes. Instead, I say, “look, this is one hour’s session. You will have to bear with me. I know this is very costly time for you, but I take my time and 15 to 20 minutes counselling session before marriage I take.” So, it depends. Mostly they don’t come and in some cases they come. But I take my … I do my duty on the marriage time. |
| **I** | Okay. So, am I correct in understanding that it’s up to them? So, if they want to come earlier, they can. And if not, then you will make sure that the ceremony includes that element? |
| **R** | That’s right. |
| **I** | Okay, that’s great. Thank you. Okay. So, the third question is are the ceremonies that you conduct, so the Nikah … is that part of a process towards a legally recognised ceremony? So, do you see … yeah, sorry? |
| **R** | Yes, completely agree with that. |
| **I** | So, I was just going to clarify … do you see the Nikah as being one step and then later on, or before even, you would expect that legally binding ceremony to take place? |
| **R** | So, what happens at our [organisation name] Community Centre, this place is registered with the Council. So, and unfortunately, it’s never used for this. So, yeah. So, what is … it is groom and bride who have to put application that our Nikah ceremony will take place there and then legal people like the Council come, and then this becomes our official Nikah ceremony. So, I mentioned you that other people come with their own comfort. And most of the time Nikah ceremonies don’t take place in Masjid, in our [organisation name], which is registered wedding place to the Council. But 99% Nikah wedding ceremonies take place in marriage hall. Before the programme … before the session Imam or agent, he goes there, and he conducts the Nikah in the marriage hall. This is why there is no concept of [inaudible 00:06:51]. We say that this Nikah form, which we are giving you, this is your Islamically … this is your Nikah ceremony and if you go to the Council you can tell them. So, afterwards they do this be themselves. So, we don’t know how they do this. But our place, [organisation name], is a registered place but I never conducted any of this kind of official Nikah. But we always… and most people know that. Afterwards they will go, and they will do this … they will complete their official Nikah … I mean British marriage. |
| **I** | Registration. Okay, that’s great. So, just an added question to that. Is there anybody in your … in the Community Centre then, who is an authorised person – so, who can, themselves, conduct the ceremony? |
| **R** | You mean Government authorised person? |
| **I** | So, authorised with the Government. So, for example, you … you could become an authorised person if you chose to. So, is there anybody in the Community Centre who is authorised? |
| **R** | In our system, our building is authorised but out Imams are not authorised. |
| **I** | Okay, that’s fine. Okay, I just wanted to clarify. |
| **R** | But this is very good because I just got to know this a couple, a few days ago that this is also possible. So, Inshallah, I will be working on this and we’ll get ourselves authorised. |
| **I** | Excellent. Okay, that’s great. |
| **R** | This is one of the good things related to interviewing you, that I got to know that I can do this. |
| **I** | I’m glad it’s provided some useful information for you. Okay. |
| **R** | Yeah, because it is good that if we have a district place, why Imams are not registered. They also have to be registered and if it is possible, this will be even better for the community. So, we will take a lot of the burden away from their shoulders. So, the Imam is registered, place is registered, Nikah is done officially, you are married according to British law. But, at the moment, our marriages are Islamic marriages … they have to go further, to Government, to do this. |
| **I** | Right, okay. So, the next question is linked to that a little bit. How do you perceive your role in advising the couples on the legal status, under English law, of the Nikah ceremony that you’re conducting? |
| **R** | So, this is what I think I explained a bit before. When they get married, so doing counselling, we will tell them, “look, Islamically you are married people. You can have relations but don’t delay to Council.” And if some person comes before us, we also advise, “Look, place is registered, but if you want to hold the ceremony here, so you just go to Council, get the date from there. If their official people coming here in our place, so this will be Islamically and according to British law, the same day as the marriage ceremony. So, you will release the headache of having another ceremony.” But it never happens, as I mentioned. So, we mentioned that after the Nikah Islamically you are married, don’t delay. Just quickly go and register there and get a date. |
| **I** | Excellent. Okay. So, the next question: the Nikah that you perform, where does it generally take place? So, what different venues have you been to? |
| **R** | So, mostly … I mean 80% … 70% will be in marriage halls where they’re conducting the marriage ceremony. So, they like that it becomes also … because they film it. So, they like that it also becomes part of the marriage that we are doing Nikah and in front of this. Mostly it’s in wedding halls, marriage places. And in some cases, in their houses. Some people they like to have in their houses, like we do Nikah in their home, in a peaceful environment. And afterwards they do their programme in a hotel or a marriage hall. And in third category is in Masjid. |
| **I** | Okay. |
| **R** | So, those people who are really into religion, I mean they’re committed to getting blessings of *barakah*, so they come, the groom and bridge in Masjid, and then they do this. So, first, second and third. First in hall, second in home, third in Masjid. |
| **I** | Okay. Great. Thank you. So, my next question is: have you seen a change in demand for the Nikah ceremony in the past 10 years and if so, what do you think the reasons are? So, any … |
| **R** | So, I can’t talk about 10 years, just 3 years. Because I’m here from last 3 or so years. I’m here on a Visa, so an immigrant, as an Imam. So, to be honest, what is seen, that people … I think some people are into … few people in last year, they asked about why is the Nikah not registered as an official Nikah. I also take part in one of faith-based based programmes where different Imams from different school of thought are gathered, and this was the topic, that Islamic Nikah, which is held … it should be considered, I mean, a proper Nikah. So, few … I think 2, 3, 4 people, they asked this. And 2 people I remember they asked that if, “this Nikah, which we are having here with you, is official Nikah? Is it considered Government accepted?” Then we explain them they’re not. Still you need to go to register actual... If you not do this in the Council, it will not be considered official marriage. So, you need to go there.  So, these kind of queries appear now. And I think this is also … the ceremony which is conducting on the specific area … this is very essential importance because, if it is not registered and before registering divorce happens, or something happens, so it means that rights are not reserved. They are not secured. And in most of the cases, you know Islamically, women are a weak side in terms of *haqh mahr* or this. So, I think personally this initiative, this thing must be dealt with Islamically or religiously this Nikah. Because most … the concept of Nikah is actually religious … mostly it came through the religion, so it should be officially conducted … accepted. And in Islamic countries what happens that, if I talk about Pakistan; so, on the same day when the Nikah happens … so Imam who is conducting Nikah, he … with officials of Government together, they sit and the registration after Nikah happens on the spot. So, we must have this thing so it will be like more fair, same day and will also decrease a lot of headache from the burden of Imams and also from the couple who are getting married. |
| **I** | Okay. Thank you. Okay, so thank you for answering that question. Now, this is a more generic one: why do you think it’s important to be able to perform Nikah in England? |
| **R** | Why … can you please clarify … explain to me? |
| **I** | So, the question is: why do you think it’s important to conduct these ceremonies? So, for you, it’s the Nikah. And what we’re trying to get a sense of here is, what is the significance of this to your communities, etc. |
| **R** | So, Muslim communities you know, 100% of Muslim communities they believe in Islamic Nikah. They definitely go for Nikah. So, this is … and also, you know, Islamic … other communities, our family system – structure of our families – is still very strong. So, this is kind of event, a wonderful celebration event for all two families. And also, regarding the Islamic tradition that if Islamic Nikah is not held, is not done, marriage is not completed. So, this is the rule or law coming from within Islamic religion. This is two elements and the third element is that our traditions, Islamic traditions, throughout the 15th Century, are based on a beautiful, wonderful gathering and function of the marriage. And fourth thing, there’s an element of a big meal and food – not just one, 2 or 3 days sometimes. And fifth element, that this ceremony doesn’t belong to … it consists on only one day. You know, preparations, wedding dresses and involvement of the relatives, parents, gifts. So, at least 5/6 days or one week is fully engaged for the marriage ceremony.  So, all these elements – cultural, religious and also spiritual element of celebrations together – they make it a wonderful and unique event for people. And one more thing that … in Islamic marriages, most of the people they say that they’re going to get married just once. So will have to have full celebrations of this.  So, this is why the overall concept of Islamic marriages is very important for bride and groom and the concept of Imam. The role of Imam is very vital that he will have to … and why I’m using the word, “he” because Imams at the moment only male. So, if there are female Imam will come sometime so, then I’ll use ‘they’. So, Imam’s role is that he will have to advise both couple of these are our values, this is the way we will be living together, what is the role, equal role for groom and bride in terms of living the life. So, explain the role of groom, explain the role of bride, and also give the element of religion as spirituality and kindness, compassion between husband and wife.  So, this is why all these things are very connected and, as an Imam, I always mention them, what I will be saying today to you, it will be recorded and I hope that you will remember this. This is why it is important to have this ceremony and on a very planned, organised way so that … because sometimes I see just the Imam comes, he just reads 2 or 3 minutes Khutbah, Nikah conducted. He gets his fees and goes. That’s it. This is not sufficient. There is a time of counselling because of a young couple – young ones – they know little about marriage most of the time. And this is because our communities of Muslim societies are very shy to address the concept of relationship between husband and wife. So, most of the time I know that they know little. So, yeah. So, this is why it’s a comprehensive full package where things are joined together. So, I’ll have to explain them that, “Look, this is the legal side.” |
| **I** | Okay. Thank you so much for that very full answer. Okay, so because you’ve been doing this in the UK … in England and Wales for about 3 years, I don’t think this next question would really be appropriate, so that’s just a question about if there’s been any change in your role. But, over that short time period, it’s unlikely. You’ve mentioned that you don’t conduct the legally binding ceremonies and … so, if I could ask you the next question. So, you’ve mentioned that you don’t conduct them and I’m inferring from the other answers that you’ve given that you have no objection to doing it. So, just going through that process of becoming an authorised person. Is there any other reason why you’re not doing the legally binding ceremonies at the moment? |
| **R** | Because I didn’t know about this. |
| **I** | Okay, fair enough. |
| **R** | So, if I knew… This is what I mentioned to you after the session with you, it explained, then I thought, “Oh, wow!” while reading the questions, “this is also possible for me.” If I knew… so, I mean, other organisations have to know this, but I … they didn’t know. So, if I knew that there is a way and I think it’s not just with me. If we’re talking about Islamic organisations across the country, maybe 90-plus don’t know about this. So, if you don’t know, how can you do this? If I knew that I can do this, and I can be accredited or authorised person who can conduct Nikah … so, I was straight away interested in doing this, and this will be more useful for this. But I think we need… here, on that specific point, your research is very important and also we need to give this awareness to the wider Islamic community and specifically Imams who conduct the Nikah, that you can be an authorised Imam, so we get forward on this. |
| **I** | Absolutely. Okay. So, that’s also not relevant. Okay. So, now if we can talk about the Law Commission’s proposals for reform. Did you have a chance to look at that document? If not, it’s fine because I can actually just share my screen with you. |
| **R** | If you can do that. |
| **I** | Yeah, okay, so I will … so, this is essentially a real brief summary of the proposals that the Law Commission is making. This is just some background. The actual proposals are here on this page. So, that’s the current law and then the proposed scheme. As I said, that’s very brief in terms of the overview. Now, what I can explain to you … so, there’s going to be some changes … that they’re proposing some changes around the process of giving notice. So, at the moment you have to give notice in … physically in a Registry Office. So, the proposal is … well, the 28-day waiting period after notice can be given online. So, just changing that to make it a little bit easier. I think what may be more significant for you, though, is the … this proposal that there would be an officiant who looks … who oversees the wedding. So, religious groups would be able to nominate officiants to officiate at weddings. The group making the nomination would have to be part of an organisation with a minimum of 20 members. The main duties of the officiant would be to ensure that both parties freely give consent and that there are witnesses. And there will be a marriage schedule, so like the registered document, which they sign. The officiant could lead the ceremony. So, if you were the officiant you could lead the ceremony, or it could be somebody else who does it. So, maybe another Imam who does it. But you would just have to be present. And there is an element of criminality if the officiant misleads the couple. So, deliberately or recklessly misleads the couple into believing their marriage is legally recognised and it isn’t. But that, again, is still pretty much within the remit of the current law anyway. The ceremony … so, there would be no legal restrictions on the types of places in which marriages could be legally celebrated. So, obviously, at the moment, there’s a lot of restrictions. So, it would be open to couples to decide. The officiant would decide whether the location proposed by the couple was safe and dignified. So, again, there is some checks and balances in place so that people don’t end up marrying in very strange places. The religious groups could set their own requirements about where they want the marriages to be held. So, as an organisation, you could say, “any marriages we oversee must happen (for example) in our building”. And then, in terms of the ceremony itself, there would be no legal restrictions on the types. Sorry … there would be no prescribed words. So, the parties would be able to manifest their consent by words or actions and it would be the signing of the schedule that evidences the exchange of consent. So, a real shift away from the current wedding laws to something very different. So, the first question is: would the proposed reforms make it easier for the types of ceremonies you perform to be legally binding? So, would that make the Nikah easier to become legally binding? |
| **R** | I think these … all these things look very good and useful. But if it is possible that the normal conditions, normal Nikahs which are taking place … so, if the Government give…, Government give all our religious organisations which are working across the country and all of them, they have their own paper, their own Nikah certificate, which they do … if it is possible that, collectively from Muslim organisations, they will be taken one as specific certificate. Like, this is a certificate which will be given to Muslim organisations and this will be accepted by the Government and all mosques and communities, all of them, they will have to follow this.  And secondly, I think if the registered mosque … because all of our Masjids, they get permission from Government. Mosques and community centres. So, if they nominate all councils … nominate that these are the places of worship or these are the places which are registered, or those who are registered there … if someone can conduct the Nikah there, this will be completed.  And the third thing, I think if that person, Imam, becomes official after registering there, and if he’s registered Imam, if he’s not registered but the place is registered, then they will have to bring one registered, which is mentioned there. These three things I think … and the rest of things just leave on religious organisations. I think this should be sufficient. But there are some more things, which I can see. I don’t know if it can complicate the thing more, like a lot of other bindings are there. I mean, you mentioned that 20 people and … |
| **I** | Sorry, the members of the religious organisation. There should be at least 20 members. So, that’s to, I guess, ensure that there is … that the religious organisation actually serves a community of people rather than it being … if you see the difference between just an organisation saying, “well, we’re going to do this” but they don’t have … |
| **R** | One thing … sorry to interrupt. One thing, which I want to note there. That if the religious Imam, I mean Imam … he must have religion. If he’s a registered person and he’s conducting Nikah with all these conditions, will this Nikah be accepted in Council straight away? |
| **I** | Okay, so the Register Office would still have a role here. So, obviously the notice still has to be given. The institutions have to follow the process of having an officiant who is formally registered for that purpose. The Register Office will have those names. So, it is a process that ties the institution more closely with the Register Office. Also, there are those oversights but it also, at the same time, gives the communities more … on the reading of it, intends to give the communities more autonomy over the way in which the ceremonies are conducted. |
| **R** | That’s fine then. That’s fine. This is what I meant. So, this is all very good. I believe this will help more in the community and it will also save a lot of time. So, afterwards this Nikah will be like official Nikah? |
| **I** | Yes. So, as long as those processes are followed, yeah. But can you think of any problems that you think these types of ceremonies … that these proposals may give to the Nikah that you … |
| **R** | So, there will be … yes, I’m sure there will be … so, you know the culture, as we mentioned earlier. So, culture of our marriages is that people, they want to do Islamic Nikah which happens quickly. In Masjid, in wedding hall, anywhere and they just have two … minimum two witnesses and maximum as much as. So, after that, with their own free time they go to the Council and register themselves. The groom and the bride, they go, and they do that Islamically, [inaudible 00:32:25]. But this way they will have to plan their … pre-plan and I believe someone is getting married next month, 15th December. By following this, they can’t make this quick Nikah. They will have to wait for one month to complete all this process. So, it will delay, or it will help people to not too quickly decide the marriage is happening. Instead, they will have to plan.  And second thing which will be that if, as I mentioned earlier, that most of the time hotels or marriage halls or where they conduct, no-one knows when they are open. So I’m not sure if they will be also registered… marriage registered places, or not. So, it will also confuse. And then our communities, they have to reschedule marriages. Because here they just have one … even if they want to do in Masjid, one very little programme and then straight away go to the hall or marriage … wedding place. But in this case, if the place where they are conducting their marriage ceremony is not a registered place, so what will they have to do? They will have to make another … so, it will delay and more time-consuming, their process. |
| **I** | Okay. Okay, thank you for sharing those thoughts. So, and I guess this links to what you’ve just said, how do you think these proposals will impact on the overall process of getting married within Muslim communities? |
| **R** | I think this is one way, because a lot of time I see that quickly decision is made about marriage and then they just say, “in one week we are going to … you are going to get married”. So, Islamically they do this and then they just get married. But with this, first of all they will have to plan it I think 2 months. One month with their own and then to make sure that all this is happening, so they also have, so at least 2 months process. So, this is why … in this way it will delay them. But it will also save their time, because after marriage they have to, again, go to the Council, registered and then get time and then … so, this will save them time on that hand. But now, before marriage, they will have to plan that Islamically their marriage is official marriage. So, prior to the time they will have to decide and then, accordingly they will have to do this. But one thing, which is also… need to know, that in our culture there are cross culture marriages from British is going to Pakistan and getting married there. So, is there any element there? |
| **I** | So, where would the wedding be taking place? Sorry. |
| **R** | Mostly it will take place in Pakistan or in India or in other country. |
| **I** | So, the legalities surrounding the wedding and recognition depend on where it’s taking place. So, if it’s here … |
| **R** | …Then they come and [inaudible 00:36:21] and yes, so, yeah. Okay, so that would be different. |
| **I** | Yeah. So, there’s no way of extending jurisdiction, no. |
| **R** | Yeah, so other than that, it’s all fine. I agree that this is useful plan. Because in this way there is more security for the marriage couple and there is more like retraining of the person before registered. So, it will be the same time, same place, one marriage and a focused marriage and everything is done legally. That’s very good. |
| **I** | Okay, thank you. So, yes. Any other comments that you want to make about the proposals? |
| **R** | Yeah, that’s fine. So, these 20 peoples … these people will be from groom and bride’s side, right? |
| **I** | Oh no, sorry. Maybe I’ve not made that very clear. When I mentioned the 20 people, it’s … so, an organisation … for it to be able to register its own officiant, it has to show that it is an organisation that has a congregation, for example. So, those 20 members relate to that. So, being able to demonstrate that yes, we are a mosque or a community centre and here are at least 20 members. Quite similar to the current process in terms of registering a place … a building. So, that’s not linked to the actual wedding. |
| **R** | Oh, so then they don’t need to be present while performing the … |
| **I** | No, no. This is just a one-off, I guess, in the process of the organisation demonstrating that they fit the remit. Yeah. |
| **R** | Okay. That’s fine. That’s fine. Yeah. |
| **I** | So, I will just stop sharing that for now. Okay, so that was the last question with regards to the reform proposals. So, my last question for the interview is: is there anything else that you would like to say about the marriage process? |
| **R** | Yes, this is very clear ideas which are shared, and which are given by you. So, I think it will … if all what you planned and you are planning, if it all happens, I am sure this will be more useful for our communities and more security of marriages. We, as Imams, know that there are different times when someone gets married and it’s not been registered. By any reason, delaying or by any reason. And if it is marriage broken, so there are a lot of emotional elements involved there and people they feel like broken. So, this thing will secure the process and give both husband and wife security in the marriage and no-one can misuse or abuse this contract. So, *jazak’Allah* for this. |
| **I** | Thank you so much. So, I’m going to stop recording. |
| **0:39:42** |  |