

Family Law

Divorce & Child Custody in the UAE - How Expats can Avoid Sharia Courts



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English expats living in Dubai and the UAE are being warned that they could face Sharia courts in divorce or child custody cases – even if they are not Muslim.

Personal Status Law in the UAE provides all expatriates with the right to have their cases heard under Islamic Law.

Sharia acts as a code for living to which all Muslims should adhere, and also forms the basis of Islam's legal system.

The warning from the Foreign Office comes following a number of cases where non-Muslim British mothers have lost custody of their children to ex-husbands and former partners following Sharia hearings, despite allegations of domestic abuse.

The ex-husband obtained custody because under Islamic Law in Dubai and the UAE, the man is the main sponsor of children, including those adopted.

While English family courts seek to achieve an outcome in divorce and financial cases which is as fair as possible and in the best interests of the children involved in proceedings, this may not be the same in other countries.

If you are thinking of moving to the UAE or other Islamic countries, it is crucially important to be aware of any potential Family Law issues that may arise.

It is important to be aware that English courts can still be involved in proceedings, even if those involved have not lived in the country for many years.

At Mackrell's our specialist Family and Relationship Team deal on a daily basis with international divorces, children proceedings, financial proceedings following an overseas divorce and recognition of foreign marriages and divorce.

How we can help you

Mackrell is an award-winning, full service law firm, based in central London. As a founder of Mackrell International, a global network of more than 4,000 lawyers in almost 60 countries, we offer the added value of immediate international legal advice and assistance in any jurisdiction worldwide. Within our own firm, languages spoken are English, French, German, Italian and Spanish.

We've been providing high quality legal advice and services since 1845 and although our firm has developed and grown over the years, our focus on putting the client first has never changed.

We're small enough to provide the personal service clients look for and every case is supervised by one of our partners, working closely with our team at all levels. We are also large enough to offer comprehensive expertise, so our clients are able to use our firm to deal with all their legal needs, no matter what the scale or complexity may be.

Our family department act for individuals with issues in all aspects of family life, whether you are married, in a civil partnership, or cohabit.

At Mackrell you can be sure we will deal with your family law issues with sensitivity, understanding and in a cost-effective way. In everything we do, we are committed to supporting clients to resolve issues in the non-confrontational way advocated by the national Family Law group Resolution, of which we are members.

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