



## Solicitor Aina Khan OBE

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Aina Khan OBE is a Solicitor of the Senior Courts of England and Wales. She is the Head of the Islamic and Asian Department at national law firm Duncan Lewis. Aina's OBE was awarded in the recent HM The Queen's New Year's Honours List, which is why she is being profiled by us.

Aina Khan provides International legal solutions across the UK and globally. With over 25 years' expertise and more than 5,000 cases, Aina is a world-renowned specialist in the field of Family Law and a leading expert in Islamic and Asian issues. She is regularly instructed to prepare Expert Reports on Private International Law for courts. At Duncan Lewis, Aina's department deals with International disputes, Family law, Inheritance and Islamic Finance.

Need for Asian and Islamic Law Department in UK Law Firms

Aina Khan explains; "We provide assistance in all the areas in which cultural and religious issues overlap with civil law e.g. Islamic divorce, Inheritance disputes, and Dowry claims for Hindu clients. We act for global families who are sometimes dealing with three or four legal systems. In one case of mine, there were nine different countries involved. It is a fascinating and growing area of law, in a time when people live, work and marry in different countries all over the world."

Aina Khan decided to focus on this area of work right at the beginning of her career, she says.

“I found myself specialising in this area at the start of my career, over 25 years ago, because of demand from clients for a niche service.

But it is, nonetheless, difficult to get to the position that Aina has reached.

“It is hard enough staying at the top of one’s profession in family law alone, with the constant legal changes! Add to this becoming a specialist in Islamic family law and it is a challenging and demanding career,” the solicitor explains.

Areas of UK law that need changing, according to Aina Khan

“I started a campaign called ‘Register Our Marriage’ to lobby for reform of English marriage law, to make it compulsory for all faiths to register their religious marriages under civil law. In most countries abroad, religious marriages have to be registered with the state, but in the UK it is up to each faith to volunteer to register. It is only compulsory for three faiths – Church of England, Jews and Quakers. I find this law out of date and not “fit for purpose“ as it has not been updated since 1949.”

This important campaign site can be viewed here: <https://www.registerourmarriage.org>  
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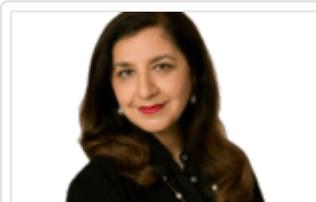
Why is Aina concerned about women and the children of unregistered marriages?

Aina says, “My campaign spreads awareness of the lack of legal rights of women and children in unregistered religious marriages. This is because they are regarded as just living together and in this country we do not have cohabitation rights. A Muslim husband has sole financial responsibility for supporting his wife and children, so leaving them unprotected and vulnerable defeats the very objective of marriage. It is against Islam to divorce a woman overnight and leave her and the children dependent on welfare benefits or her elderly parents.”

Being Awarded the OBE

Says Aina, “Applicants are never aware that they have been nominated. To this day, I do not know who nominated me! I was not allowed to tell the news even to my own family before it was published in the papers. I do know my OBE was given for “the protection of women and children in unregistered marriages“. This confirms that the Prime Minister and the Queen have endorsed the work I have done to ensure that these vulnerable people are not left destitute and homeless after being abandoned. I have run the campaign with volunteers and we have never received funding from any source. Women contact me regularly to say that they are now making sure their marriages are registered. It is therefore specially gratifying to know that this work, done at evenings and weekends, often leaving my husband and children to travel around the UK spreading awareness, has changed lives. My father passed away a few days after celebrating the news of the OBE with me. It is one of the dearest memories I have of him. He was a barrister and the one who trained me in Islamic and Asian family law. I am delighted that his legacy lives on.

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