

Ramadan and Adjustments to the Court Process

We are now over the half way point in Ramadan, the month in which Muslims refrain from eating and drinking from dawn to dusk which in the UK amounts to approximately 15-16 hours of abstinence.

Judges and practitioners should consider pragmatic adjustments to the court process in order for cases to be managed effectively and without making Ramadan observation unduly onerous for all court users which include court clerks, caseworkers, administrative staff and interpreters.

Most Muslims will wake up before dawn in order to have a meal and pray around 4am. They will then break their fast at around 8pm with friends and family preceded by/and or followed by communal prayers. These long days and long nights will inevitably impact on tiredness and concentration.

Reasonable adjustments as suggested in the Equal Treatment Bench Book may include the following:

- regular breaks
- adjustments to the order of events within the day such as changing the order of witnesses
- changes to attendance times such as starting the court day earlier
- shorter lunch breaks
- allowing court users to leave on time to join family and friends in breaking their fast

The Court will automatically not list hearings on Christmas Day and Good Friday, Muslims, (and people of other faiths) will not have this automatic protection and as such listing of court hearings will need to accommodate for Eid in terms of dates and timings.

Requests for accommodation in scheduling and adjustments in the court day should be received positively in order to be respectful of Islam and the impact of beliefs, work, lifestyle and interaction with the justice system. Practitioners should deal with matters on a case by case basis and accept



that all adherents will observe their religion in diverse ways and any adjustments are likely to be resolved in a pragmatic and logical way without seeking to resolve any doctrinal conflict by either the observant or otherwise and within the spirit of awareness, diversity and equality.

Shabinah Ladha
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