



In the name of the Allah, The Beneficent, The Merciful

My son, who is 28 years old, is going to receive compensation for injury he sustained when he was attacked during his study in the UK. I, his mother, came from my country to care for him because he was left with brain damage and left paralysis. His father stayed home to work and to support us. My son is a resident in the UK. His award is going to the Court of Protection, which appointed me as his deputy. I want to invest his money in accordance with the Shaī'ah laws and in a way that will benefit him for the rest of his life and for the time when his father and I will not be here to help him. I want to set up a Personal Injury Trust and want to know what the opinion of Shari'āh is on this.



22nd Jumādā al-Ūlā 1431
7th May 2010

الجواب حامداً و مطالباً و منه الصدق و الصواب

According to Shari'ah the guardianship of a legally incompetent adult for the management and preservation of his property devolves first on the father. Thus, whilst the Court of Protection may have appointed you as his deputy, you will also need to obtain the agreement and authorisation of your husband in order for you to manage your son's award. You may set up a Personal Injury Trust but you should open a non-interest bearing account for this. If it is in the best interest of your son to invest a portion of the award then this should be in compliance with Shari'ah principles and with due diligence.

And Allah knows best.

Mohammed Zubair Butt
Chair, Al-Qalam Shariah Panel