female genital mutilation against a Territory resident even if the conduct occurs in another jurisdiction.

Accordingly, based on the Standing Council on Law and Justice agreement, the only area the Territory is deficient is in relation to the removal of a person from the Territory with the intention of having female genital mutilation performed, as the current provisions only provide for the removal of a child and do not cover the removal of an adult woman.

All states and territories have provisions criminalising the performance of female genital mutilation. In addition, all jurisdictions, excluding New South Wales, have criminalised the removal of a child from the jurisdiction with the intention of performing female genital mutilation. Currently, Victoria is the only state to prohibit the removal of both children and adult women from the jurisdiction with the intention of having female genital mutilation performed. However, given the agreement of the Standing Council on Law and Justice, it is anticipated that each jurisdiction will make relevant amendment to make their female genital mutilation offences in line with that agreement.

Although the World Health Organisation has suggested that female genital mutilation is mostly carried out on girls aged between infancy and 15 years, it is foreseeable that adult woman could forcibly be removed or coerced from Australia for the purposes of female genital mutilation.

The United Nations Resolution on Female Genital Mutilation urges countries to condemn all harmful practices that affect both woman and girls, and to take all necessary measures to protect them from this form of violence. On this basis, the UN resolution does not limit the practice or protections by age.

Accordingly, it is necessary to amend section 186C of the *Criminal Code Act* in order to protect both adult woman and girls from removal from the Northern Territory with the intention of having female genital mutilation performed.

It is not the intention of the legislation that the victim will be prosecuted under the provision, and such specific wording of the amendment will ensure that section 186C only criminalises the actions of others and not the victim.

The particulars of the bill are section 186C will be amended so that each reference to a child is replaced with the words 'another person', 'person' or 'that person' where applicable. This will ensure that the restriction of the offence to children only is removed and such is applicable to both girls and adult women. The wording of the amendment is also specific to clarify that the offence against a person who removes or arranges 'another person' to be taken from the Territory so that the section only criminalises the actions of the others, and not the victims.

A transitional provision has also been included in the bill. Section 447 will be inserted into the *Criminal Code Act* which will provide that an offence is only committed against the amended section 186C if all offending conduct occurs after commencement. This will ensure that there is no confusion if a defendant were to be charged 'between dates', where a course of conduct is alleged to have occurred both before and after the commencement.

Female genital mutilation is an unnecessary and harmful practice which will not be tolerated in the Northern Territory nor when it is afflicted on Northern Territory residents, children or adult women outside our jurisdiction.

I commend the bill to honourable members and table a copy of the explanatory statement.

Debate adjourned.

SUCCESSION TO THE CROWN (REQUEST) (NATIONAL UNIFORM LEGISLATION) BILL (Serial 39)

Bill presented and read a first time.

Mr GILES (Chief Minister): Madam Speaker, I move that the bill be now read a second time.

The purpose of the Succession to the Crown (Request)(National Uniform Legislation) Bill 2013, is to provide for the parliament of the Northern Territory to formally request the Commonwealth parliament to enact legislation to change the laws of succession to the Crown throughout Australia consistent with changes to the law of Royal Succession in the United Kingdom.

This will ensure that the Sovereign of Australia and the Sovereign of the United Kingdom is the same person. The changes the Commonwealth has requested to enact are:

- to end the system of male preference primogeniture whereby a young son displaces an elder daughter in the line of succession
- to remove the bar on a person who marries a Roman Catholic from succeeding to the throne
- to repeal the *Royal Marriages Act 1772* which makes void the marriage of any descendant of George II who fails to obtain the monarch's consent prior to their marriage, and replace it with a provision whereby the monarch need