

**JUSTICE LEGISLATION AMENDMENT (DOMESTIC AND FAMILY VIOLENCE) BILL
(Serial 113)**

Ms FYLES (Attorney-General and Justice): Mr Speaker, this is important legislation. This is a piece of legislation where, as a government, we are putting victims of domestic violence first in holding those perpetrators to account. We know for many decades the figures in the Northern Territory have been far too high.

We have progressed a number of bodies of work that put those victims first. We have released an updated victims' charter. This charter clearly directs that every reasonable resource will be used to support the safety and welfare of victims, their families and their properties. Our key principle is that victims' rights come first. The safety and welfare of victims and their families and properties is our number one concern, and that they have access to services that will be simple, quick, coordinated and helpful.

Victims have a right to be heard in our courts. Through this work, the government is creating safer communities. In this legislation, we have been made aware—past victims in the community tell us—that the legislative framework for victims of crime seeking assistance is too complex and has too many delays.

That is why we released a discussion paper regarding reforms to victims of crime legislation and adult victim/offender conferencing and restitution. We engaged with Territorians for a period of time in late 2018, early 2019 with a number of face-to-face sessions. The submissions received required in-depth consideration.

It is important to note that although not a minister, the shadow Attorney-General—the CLP started this work but never followed through with it in 2013.

In the measures to support victims, we have also overhauled the Alice Springs Court. The Local Court in Alice Springs is having significant refurbishment that allows for the provision of five fully refurbished courtrooms, including one multipurpose courtroom. There is provision of a courtroom where a victim cannot see or be seen by the defendant and of a separate entrance, waiting and interview area to cater for vulnerable witnesses, provision of additional interview rooms for service providers on both floors, provision of additional videoconference room, as well as upgrades to staff working areas and amenities, importantly provision of culturally-appropriate waiting areas on both floors and bringing the building into line with modern *Disability Discrimination Act* standards, including the provision of lifts.

I have seen firsthand, as I am sure you have, Mr Speaker, these significant structural changes. I believe they will greatly help the function of the court.

This bill is an important step in providing support to the most vulnerable members of our community and ensuring that this new refurbished Alice Springs domestic violence court can operate as intended. The bill includes amendments in three distinct areas to improve responses to domestic violence—the rehabilitation programs as part of a domestic violence order, the new offence of choking in a domestic relationship and tenancy agreement orders made as part of a domestic violence order.

The bill address domestic violence, something we, as a government, are committed to reducing in our community. I acknowledge this is an emotive issue for many people—for people listening in and in this Chamber—impacted by domestic violence. I hold you in my thoughts. In this bill, we are putting in place measures that will help protect the community.

I acknowledge the work of the Minister for Territory Families. We all know her strong background, putting others first and putting first those vulnerable victims without a voice. It is through her drive in our government we have seen the delivery of the new Alice Springs women's shelter. She has been a key part of this, although this is in the courts and I take carriage of this legislation as the Attorney-General. It is important for this House to acknowledge her work in stepping this forward.

We are putting everything in place to reduce those figures I spoke about that, for far too long, the Northern Territory has had such high, tragic rates. There will be no single reform on its own that will reduce domestic violence, but a combination of reforms will work together to make a difference. Our community standing up and saying, 'No more', has such an important place.

This bill provides greater incentive for defendants in domestic violence proceedings to attend rehabilitation programs. If defendants satisfactorily complete a declared rehabilitation program and there is no further

offending, the court may find that it constitutes exceptional circumstances for the purpose of mandatory sentencing.

The bill also puts safeguards in place for rehabilitation program orders to prioritise a victim's safety and ensure fairness for the defendant. The bill amends section 78DI of the *Sentencing Act* and makes it clear that if a defendant has satisfactorily complete a declared rehabilitation program ordered by the court as part of a domestic violence order, a court may find that it constitutes the exceptional circumstances for the purpose of mandatory sentencing.

For exceptional circumstances to be found the court will need to be satisfied that the offender has taken responsibility for their conduct and made a genuine effort to change their behaviour. A term of actual imprisonment will still be required, but the court will determine the appropriate sentence in the circumstances of the case.

The *Domestic and Family Violence Act 2007* already contains a power in section 24 for the court to order a defendant to attend a rehabilitation program as a part of the domestic violence order. The bill puts additional safeguards in place to prioritise victim safety and ensure fairness for the defendant.

The bill amends section 24 of the *Domestic and Family Violence Act 2007* so the safety and protection of the protected person is paramount consideration for the court in determining whether to include a rehabilitation program order when making or varying the DVO.

I note the comments from the Opposition Leader regarding certain aspects of the bill. As I indicated to her, we will support the recommendations of the scrutiny committee. There are amendments to the third part of this bill that will address concerns from the women's legal sector. I will go into more detail on that.

The Minister for Territory Families met with the sector last week and the Department of the Attorney-General and Justice met with them earlier this week. I am advised that they are comfortable and there are no issues. We acknowledge stakeholders' concerns and will continue to work with them to make sure their voices are heard, as are the voices of victims.

We have accepted all recommendations from the scrutiny committee. I acknowledge the committee's work. Subsequent to the committee tabling its report, further consultation took place with the NT Women's Legal Services. Stakeholders have requested an amendment to clarify programs which can be declared rehabilitation programs under the *Domestic and Family Violence Act 2007*. Their view is that only domestic violence-specific programs should be declared for the purposes of the *Domestic and Family Violence Act 2007*.

I will be moving a minor amendment to clarify that—the primary objective to change the behaviour of a person who commits domestic violence and will be declared under the act.

This amendment aims to strengthen the bill. The consequential to this amendment is an amendment of section 24(1)(a) which is proposed to enable the court to order attendance at other programs such as alcohol rehabilitation programs but only if an order to attend a declared program has been made. There is a minor typographical correction in section 85A(2). The amendment replaces the word 'meeting' with 'meetings'.

Further, an amendment is proposed in section 85(d)(1) of the bill. Section 85(d)(1) of the bill already contains a requirement that a program facilitator of declared rehabilitation program must notify the police and the court if they become aware of a defendant committing domestic violence or contravening a domestic violence order while subject to an order.

I am sorry, Member for Spillett, I am making sure that I do not miss any of the points that you raised.

As part of the DV court refurbishment the whole body of work, there are plans to conduct a full evaluation of all the programs. Once we have that up and running we will have that evaluation process put in place. The changes will only apply in the Alice Springs local court as a part of the domestic violence court. I am not sure the information I have-is that there is one program in Darwin and one program in Alice Springs. You raised concern that may have had something to do with the fact that this is for the Alice Springs local court domestic violence court that we are establishing but there is a program in Darwin.

We are not the only jurisdiction to legislate for this offence in terms of the choking offence, Queensland and South Australia have that offence in a domestic relationship. The NT offence is similar to the provisions although uses the definitions from the ACT's recent legislation.

The bill clarifies that as part of the domestic violence order tenancy agreements can be terminated without being replaced and that the permanent breakdown of a relationship is not required.

The bill also amends section 23 of the *Domestic and Family Violence Act 2007* which provides for orders in relation to tenancy agreements. Under the *Domestic and Family Violence Act 2007* the court has the power to order the termination of the tenancy agreement and the creation of replacement tenancy agreement in similar terms. This enables, for example, a tenancy agreement that in both parties names be terminated and a replacement agreement created in neither protected person's name or the defendant's name.

The bill amends the *Domestic and Family Violence Act 2007* to avoid any doubt that a tenancy agreement can be terminated without a replacement agreement being made. This is necessary because the court sometimes reads the power to terminate an agreement as merely to facilitate the power to create a replacement agreement and held that there is no power to terminate in the absence of a replacement agreement.

This amendment is necessary to avoid any doubt as to the intention of the provision. This is important because in some circumstances it is the safest for no replacement agreement to be made.

The bill also amends the *Domestic and Family Violence Act 2007* to remove the requirement for the court to order a tenancy agreement be terminated and replaced and the relationship must have broken down.

Leader of the Opposition, parties may be reluctant to make submissions on the issues whilst they are still in crisis and so for safety reasons it may be critical for the family to live apart and the original tenancy agreement to be terminated or replaced. That clearly provides a safer living arrangement.

Once the bill is passed, we are a significant step closer to fully implementing this specialist approach to the domestic violence court at the Alice Springs local court. This specialist approach, the court and other stakeholders will work together to continue to improve the victim safety and increase the accountability of defendants.

I acknowledge the work of the Legislation Scrutiny Committee, but I would particularly like to acknowledge the work of the former chair of the committee, the Member for Karama, and the current committee chair, the Member for Brennan, and also those who have supported them, the Member for Katherine, the Member for Johnston, the Member for Spillett and the Member for Araluen.

Before I conclude my comments, I want to highlight one last amendment and that is to clarify that the program facilitators also have the duty to notify the police and the court if they hold reasonable belief that the defendant may be present as unacceptable risk to the safety or welfare of the protected person or any other person in fact. The amendment will support victim safety clearly as it makes it quite clear that those program facilitators must report unacceptable risk to safety and welfare.

The bill will be commenced by gazette notice with the consultation of stakeholders to ensure safety of victims. As recommended by the Legislation Scrutiny Committee there will be a review of the rehabilitation program orders once they have been operating for 12 months and that component will be the monitoring and evaluation processes associated with the specialist approach to the domestic violence court in Alice Springs.

This is a huge body of work, and this bill represents the technical legislative aspects of some parts of it, but the investment by this government, the investment in the infrastructure to support victims through things such as the Alice Springs women's shelter but also the changes to the court building itself, common sense says that you cannot have victims and perpetrators meeting as they enter through security. It is not culturally appropriate, it is not safe and those changes to the court house in Alice Springs will be a significant step forward that victims will follow through the court process and allow justice to take place.

I acknowledge all that have been involved. The Department of Attorney-General and Justice staff and Parliamentary Counsel. There have been a lot of advocates in this space and I acknowledge them. It is by no means the end of this journey, it will continue, but it is a significant step forward.

We have the committee stage amendments which represent those scrutiny committee recommendations. Hopefully, if I have missed anything that the Leader of the Opposition said, I am sure she will remind me in that. I think through all my notes, I have covered everything, but believe no doubt.

I commend the bill to the House.

Motion agreed to; bill read a second time.

Consideration in detail

Clauses 1 to 5, by leave, taken together and agreed to.

Clause 5:

Mrs FINOCCHIARO: I would like to thank the Attorney-General, she covered a lot of my concerns in her summation. Forgive me, I might not be asking clarification in the right areas. In clause 4, who will determine whether an offender is suitable to participate in a gazetted program?

Ms FYLES: There is an assessment process undertaken, but it will be the judge that will make that decision.

Mrs FINOCCHIARO: How are they assessed? If you could explain that assessment process?

Ms FYLES: As part of the new establishment of the specialist approach in Alice Springs, there will be co-located experts at that court house and they will provide that assessment and information to the judge. But the final decision is with the judge.

Mrs FINOCCHIARO: So I presume they would have to look at prior offending and all factors around that. You would need to know a lot about that person before you could bail them to undertake the program as opposed to send them to prison.

Ms FYLES: Correct. The victim will also be assessed. The holistic aspect of the victim and perpetrator will be looked at by those experts and they will provide the information to the judge. It is a far more detailed process rather than just the paperwork that comes presently. There is an opportunity to look into the story, look into the detail and try and set a better trajectory for the victim but also to stop the reoffending.

Mrs FINOCCHIARO: Importantly, the victim has a say in that as well. They are interviewed or asked about how they would feel about the person going into the program.

Ms FYLES: Yes. The new specialist approach in the Alice Springs court, very much puts the victim first. There are separate entrances, as I explained, and the ability for video links, even though both the victim and the perpetrator may be present in the physical court. If the judge and specialists believe it is not appropriate to bring them face-to-face, there are aspects that can be utilised to make sure the victim's voice is heard.

Mrs FINOCCHIARO: Okay, that is good to know. That is all up until 10. I have one for 11.

Clause 5 agreed to.

Clauses 6 to 10, by leave, taken together and agreed to.

Clause 11:

Ms FYLES: I move amendment 1 to clause 11 of the bill that after proposed section 24(1)(a) of the *Domestic and Family Violence Act 2007*, a new subsection (1)(b) be inserted with the words:

If the court includes an order under subsection 1 in a DVO, the court may also include an order requiring the defendant to take part in any other program the court considers appropriate. For example, subsection (1)(b), an alcohol rehabilitation program.

This amendment is consequential following the amendment. It enables the court to order the defendant to attend rehabilitation programs that are not domestic violence specific, such as alcohol rehabilitation, but only if the court also makes an order that the defendant is to attend a domestic violence specific program that has been declared under proposed section 85A(1) of the *Domestic and Family Violence Act 2007*. This example clarifies that the alcohol rehabilitation is one of the types of programs that can be ordered under this provision.

Mrs FINOCCHIARO: I want to know why additional monitoring is not being mandated in the legislation for that period of release.

Ms FYLES: The advice I have is the judge will call them back—it can be up to every few weeks—to assess how those programs are going.

Mrs FINOCCHIARO: But there is no requirement for electronic monitoring, for example, during that period of release?

Ms FYLES: That would be a matter for the judge. They could do that, if they felt that would be beneficial or appropriate in this situation. As I said, there is that regular monitoring.

Mrs FINOCCHIARO: Are there any other safeguards for the victim or the monitoring or continued assessment of the person undertaking the program? Is there a requirement if the person did not attend one of the sessions, for example? What then happens? Is it okay, so and so is not here today, or does it trigger something bigger.

Ms FYLES: You are right, it is a trigger. It is a requirement—sorry, my summation speech was very convoluted. I was trying to incorporate the amendments. Yes, there is the requirement for those facilitators if they believe that there is harm to the victim or anyone else—a breach. They have to report that.

Mrs FINOCCHIARO: But is there a requirement to attend? If one of the programs is—I do not know—one hour three days a week and you do not attend for one of those, then does something happen at that point? ‘Hang on a second, you are supposed to be here and you are not. What is going on?’.

Mrs FINOCCHIARO: Yes, you are correct. There will be a non-compliance notice issued from that.

Mrs FINOCCHIARO: But the organisation delivering the service then is required to ring police or the court and say, ‘So and so is not here’, and then an immediate action happens, or do they wait until whenever the next session is? How long can that go on for—where someone is not attending?

Ms FYLES: No, they are required immediately to contact the court. Then the court process would resume and, of course, they would notify police.

Amendment agreed to.

Clause 11, as amended, agreed to.

Clauses 12 to 13, by leave, taken together and agreed to.

Clause 14:

Ms FYLES: I move amendment 2 to clause 14 of the bill that the proposed section 85(1) be omitted and replaced with the words:

- 1 *The Minister may, by Gazette notice, declare a program to be a rehabilitation program for this act if the primary objective of the program is to change the behaviour of a person who commits domestic violence to:*
 - (a) *reduce and prevent the person committing domestic violence; and*
 - (b) *increase the safety and protection of persons with whom the person is or may be in a domestic relationship; and*
 - (c) *ensure the person accepts responsibility for the person’s behaviour.*

The purpose of this amendment is to ensure that the rehabilitation programs can be declared by the minister under Section 85(a) of the *Domestic and Family Violence Act 2007* if their primary objective is to change the behaviour of a person who commits domestic violence. This means that if the court intends to order a defendant to a rehabilitation program under Section 24 as part of the Domestic Violence Order it must order an attendance at a declared domestic violence specific program.

Other programs such as alcohol rehabilitation may be ordered by the court as an additional program but this can only occur if a declared domestic violence specific program is also ordered. The need for the amendment was raised by stakeholders. We know that programs to address alcohol and other issues in the defendant’s life are not on their own sufficient to reduce domestic violence.

As a government we want to ensure that at least one program that the defendant is ordered to attend as part of a Domestic Violence Order must focus specifically on changing the defendant's behaviour to reduce and prevent domestic violence and to ensure that the defendant takes responsibility for their violence. Domestic violence specific programs prioritise victims' safety and have procedures in places for independent checks on safety and wellbeing of the family members while the defendant is in the program.

Mrs FINOCCHIARO: It probably still applies for this section, if the minister does not mind I forgot to ask, you mentioned a lot about the way the Alice Springs court is geared up to hear the voice of the victim particularly around making that submission to the court around whether or not a person should be eligible to undertake the program as opposed go to prison, how does that then apply in Darwin?

Ms FYLES: It will not be applied in Darwin. We will have the program in Alice Springs, do the evaluation and then if it proves to be successful we would look at a model in Darwin.

Mrs FINOCCHIARO: This law is only going to apply to people in Darwin. How does that work?

Ms FYLES: It is about the declaration of programs so we will only declare programs in Alice Springs.

Mrs FINOCCHIARO: People in Darwin who may be eligible under the law will not be able to attend a program because there will not be one here, even though you said earlier there is one here?

Ms FYLES: They can still go to programs. As I said we have programs in Darwin but this specialise approach we are trialling it for all intents and purposes in Alice Springs and we have been quite open about that.

Mrs FINOCCHIARO: I am just trying to be clear. If you are charged in Darwin, the court process is here, and there is a program pursuant to this legislation, it has been gazetted. Or are you saying it is not the government's intention to gazette a program for Darwin and therefore this legislation will not kick in because there will be no Darwin gazetted program.

Ms FYLES: We need to be clear, there are programs for perpetrators in Darwin but this specialist approach there is not a specialist court and therefore there will not be that pathway to gazetted programs in Darwin. This is a trial. We have been quite open about the Alice Springs specialist domestic violence court being a trial in Alice Springs.

Mrs FINOCCHIARO: Even though there is a program in Darwin it will not be gazetted, only the Alice Springs program will be gazetted?

Ms FYLES: We do not have those co-located specialists. All of what I have been speaking about has been put in place—the infrastructure and supports— in Alice Springs. We have considered it as a trial and then we will evaluate it. From the evidence that has been presented to me it is worthwhile and we will evaluate that trial. I hope it is positive and then we can continue that rollout.

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rs FINOCCHIARO: You mentioned in your wrap—I am not trying to verbal you, I did not get to write it down quickly enough—you said something along the lines of once they have completed the rehabilitation program a term of actual imprisonment will still be required. Could you please clarify that?

Ms FYLES: Under the *Sentencing Act* they are still required by the judge to be sentenced to a term of imprisonment. If they successfully complete that program the judge can take that into consideration.

Mrs FINOCCHIARO: Exceptional circumstances?

Ms FYLES: Yes.

Mrs FINOCCHIARO: It all rests with the judiciary around the new clauses on exemption from mandatory sentencing?

Ms FYLES: Yes, but they have to complete the rehabilitation program.

Mrs FINOCCHIARO: Who determines successful completion? If you miss half the course but still pass the test? I am not sure how the programs work per se, I am not trying to be funny. Is it the judge who decides?

Ms FYLES: No, it is an important question. The programs are by gazette—we cannot start our own program—and when they have completed that, the judge is presented the information by those specialists who show that that pathway has been completed.

Mrs FINOCCHIARO: With the exemption for mandatory sentencing, could the judge use the exemption perhaps not to require a sentence but to lessen the length of the sentence?

Ms FYLES: Even if they complete the program, the judge may still sentence them for a term of imprisonment. This is based on having perpetrators, they go to prison, they come back and we have that cycle. This is a specialist approach, these are programs based on evidence to break that cycle. We often see victims not following through in the court process with perpetrators and this provides the supports from that initial court case and right through in changing the perpetrators behaviour.

Mrs FINOCCHIARO: Yes, I understand that component. If a judge determines it is an exceptional circumstance, what we have done is increased the discretion around what an exceptional circumstance might be. If the judge deems that it is an exceptional circumstance—they have completed the program, they have ticked the criteria—can the judge at that point, given that mandatory sentencing is then exempt, still sentence them, for example, to one months imprisonment.

Ms FYLES: Correct. I had more amendments to clause 14. Would you like me to go through those?

Mrs FINOCCHIARO: Yes.

Ms FYLES: I move amendment 3 to clause 14 of the bill that in the proposed section 85A(2) the example to the word 'meeting' be omitted and the word 'meetings' be inserted. As I explained in my summation speech, this is a typographical error and it should be plural.

Amendment agreed to.

Ms FYLES: I move amendment 4 to clause 14 of the bill that the proposed section 85B(1)(c) of *the Domestic Family and Violence Act 2007* be amended by omitting the existing words and inserting the words '(c) the defendant did not commit an offence specified in Schedule 2 or 3 of the *Sentencing Act 1995* after the order was made'.

The purpose of the proposed section 85(B) is to define when a rehabilitation program has been satisfactorily completed. The section provides that a program has been satisfactorily completed if a completion notice has been received by the court from the program facilitator and the defendant did not breach a domestic violence order, commit any further domestic violence or commit any violent offences.

This amendment addresses recommendation 4 of the Legislation Scrutiny Committee's report into this bill. The committee recommended that definition of violent offences be incorporated into section 85(b) to avoid any doubt about the meaning of the term, for drafting purposes the committee's recommendation has been addressed by incorporating a reference to the relevant offences in the wording of section 85(b)(1)(c) itself.

The relevant offences include violent offences in schedule 2 and sexual offences in schedule 3 of the *Sentencing Act 1995*. This amendment makes it clear that the defendant cannot satisfactorily complete a rehabilitation program if they have committed one of these offences. I hope that answers some of the further questions that you had, Leader of the Opposition.

Amendment agreed to.

Ms FYLES: Madam Deputy Speaker, I move amendment 5 to clause 14 of the bill, that the proposed section 85(d)(1) of the bill be amended by omitting the existing words and inserting the words:

- (1) *A program facilitator must notify both the police and the Court if the facilitator:*
 - (a) *becomes aware of a defendant committing domestic violence while the defendant is subject to an order to attend a rehabilitation program; or*
 - (b) *becomes aware of a defendant engaging in conduct that contravenes a DVO while the defendant is subject to an order to attend a rehabilitation program; or*

(c) believes on reasonable grounds that a defendant who is subject to an order to attend a rehabilitation program may present an unacceptable risk to the safety or welfare of the protected person or any other person.

A duty to notify the police and the court if a program facilitator of a declared rehabilitation program becomes aware of a defendant committing domestic violence or contravening a domestic violence order is already contained in section 85(d)(1) of the bill.

The purpose of this amendment is to clarify that the program facilitators also have a duty to notify the police and the court if they hold reasonable belief that a defendant may present an unacceptable risk to the safety or welfare of the protected person or any other person. This duty will assist in the prevention of domestic violence.

Proposed section 85(g) of the bill contains the power for a court to revoke the rehabilitation order if an unacceptable risk to safety or welfare is reported by the program facilitator.

I think it is clarified there but your earlier question where I said the court-the facilitator has a duty to notify the police and the court if they hold a reasonable belief that the defendant may present an unacceptable risk to the safety or welfare of the protected person or other person. I hope that helps in the questioning that you had before.

Mrs FINOCCHIARO: Thank you. I accept that. I guess what that section does not do though is require an action for failure to attend or failure to participate or-if the person attends the programs but does not engage, just sits there completely disinterested, ticking a box-okay, that is not in the law but surely it is going to have to be enshrined somewhere at some point, because I image a huge part of it is creating a trigger for non-attendance or non-participation. It goes to all the factors around not showing you have changed, accepting responsibility for your behaviour et cetera.

Ms FYLES: Under 85(d) there is notification obligations for a program facilitator and part of that is non-attendance, but what you are talking about is that we can turn up every day, none of our colleagues would do this, they are always very engaged and participate in debate, but at the end of it they have to do the completion report.

We are talking about expert programs, the completion report that goes back to the court, it is the judge's final decision but they are supported with the experts located in the specialist court-Lia turned up every day and did not really participate-we are putting in those safeguards so it is not just tick the box.

Mrs FINOCCHIARO: That is good, but if you did not attend there is a specific trigger for that?

Ms FYLES: Correct. If you physically did not attend then there is a specific trigger but then the second part of your question in terms of attitude and ...

Mrs FINOCCHIARO: Okay. My last question that I had was in relation to clause 17. You may not know but ...

Ms FYLES: Can I pass this one and go to 17?

Mrs FINOCCHIARO: Oh, sorry, yes.

Amendment agreed to.

Clause 14, as amended, agreed to.

Clauses 15 and 16, by leave, taken together and agreed to.

Clause 17:

Mrs FINOCCHIARO: Has any offender ever successfully used that exceptional circumstances clause before? I cannot imagine it is very ...

Ms FYLES: Are you able to provide more clarity? Are you talking as a whole to exceptional circumstances or in relation to rehabilitation programs?

Mrs FINOCCHIARO: Oh, okay, if you have the breakdown. I just thought in general, but ...

Ms FYLES: The advice is that yes, judges deal with exceptional circumstances every day. That is part of the deliberations they make.

Clause 17 agreed to.

Remainder of bill, by leave, taken together and agreed to.

Bill, as amended, agreed to.

Ms FYLES (Attorney-General and Justice): Madam Deputy Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.