REPORT OF THE COMMITTEE

The Standing Committee on Procedure and House Affairs

has the honour to present its

THIRTY-FOURTH REPORT

Question of Privilege Regarding the Free Movement of Members of Parliament within the Parliamentary Precinct

On May 3, 2017, the House of Commons concurred in the following motion: “That the question of privilege regarding the free movement of Members of Parliament within the Parliamentary Precinct raised on Wednesday, March 22, 2017, be referred to the Standing Committee on Procedure and House Affairs and that the Committee make this matter a priority over all other business including its review of the Standing Orders and Procedure of the House and its committees provided that the Committee report back no later than June 19, 2017.”

This order of reference arose out of a question of privilege first raised by the Hon. Lisa Raitt, P.C., M.P. for Milton, on March 22, 2017. She told the House that she missed a vote due to a delay caused by shuttle buses that were held from moving “at the bottom of the Hill” by security. The Hon. Maxime Bernier, P.C., M.P. for Beauce, also rose to confirm that he too was left waiting for a shuttle bus subjected to the same delay and that, as a result, he missed the vote.

On April 6, 2017, the Speaker ruled that sufficient grounds existed in this case to find a prima facie question of privilege. The Speaker underlined the importance members’ free access to the parliamentary precinct and stated that the Parliamentary Protective Service (PPS) needed to better familiarize itself with the operations of the House. He further indicated that he remained confident that PPS could achieve a more thorough understanding of Parliament by availing itself of all opportunities to receive the relevant

1 House of Commons, Journals, May 3, 2017.
training on the privileges, rights, immunities, and powers of the House of Commons and its members.

Ms. Raitt was invited by the Speaker to move a motion to refer the matter to the Committee for further study. During the debate on the motion, a superseding motion was moved (“that the House do now proceed to Orders of the Day”); this motion was adopted and as such the privilege motion was dropped from the Order Paper. On April 7, 2017, Mr. John Nater, M.P. for Perth—Wellington, rose on a question of privilege to ask the Speaker to revive the question of privilege raised by Ms. Raitt. The Speaker ruled that the original question of privilege raised by Ms. Raitt could be revived and that the matter of the delayed access to the parliamentary precinct remained a prima facie question of privilege. The Speaker invited Mr. Nater to move a motion to refer Ms. Raitt’s question of privilege to the Committee; the motion was amended (to add that the matter take priority over all business before the Committee) and the amendment was amended (to add a reporting deadline for the Committee). Following debate, the motion, its amendment and subamendment, were adopted, and the matter was referred to the Committee on May 3, 2017.

Evidence

During its consideration of the matter, the Committee heard from the following witnesses: the Hon. Maxime Bernier, P.C., M.P.; Mr. Marc Bosc, Acting Clerk of the House of Commons; Mr. Robert Graham, Administration and Personnel Officer, PPS; Supt. Mike O’Beirne, Acting Director, PPS; the Hon. Lisa Raitt, P.C., M.P., and the Hon. Geoff Regan, P.C., M.P., Speaker of the House of Commons.

From the testimony it heard and the documents it received, the Committee was able to gain an understanding of the events that took place on March 22, 2017. The incident occurred on Budget Day in the time period leading up to the presentation of the budget in the House. The budget was expected to be presented to the House at 4:00 p.m. Prior to its presentation, a vote was called in the House and 30-minute bells began to ring at about 3:24 p.m.

Following a meeting, Ms. Raitt arrived at the northeast corner of Wellington Street and Bank Street to attend both the vote and the presentation of the budget. She walked to the Lower Drive/Bank Street Extension bus shelter and waited for a shuttle bus. In the meantime, a coach bus heading westbound transporting media members from their “lock-up” located off Parliament Hill arrived at the corner of Wellington and Bank Streets, causing the vehicle screening centre (VSF) to shut down. The media bus entered onto Parliament Hill and proceeded to Centre Block. Mr. Bernier, who had departed his office in the Confederation Building to attend the vote, joined Ms. Raitt at the bus shelter. The VSF remained shut down for a period of about ten minutes. During that time, three House of Commons shuttle buses arrived at various times at the shut VSF and were forced to wait; some buses were reportedly carrying Members. Mr. Bernier eventually approached the VSF to enquire as to the reason for the delay. A member of the PPS told Mr. Bernier that he was not fully apprised of the reason for the extended shut down of the VSF; that he surmised the delay was caused by the Prime Minister’s motorcade; and that he would find out more information about the situation and provide it to Mr. Bernier. An audio and video
recording of the incident subsequently reviewed by the Committee did not demonstrate evidence of the Prime Minister’s motorcade being present.

Supt. O’Beirne told the Committee that the delays at the VSF were initially erroneously attributed to the Prime Minister’s motorcade. However, following an internal investigation into the incident, Supt. O’Beirne stated that the delays experienced on March 22, 2017, “were due to the erroneous and extended temporary closure of the VSF in order to accommodate the movement of the media bus up to Centre Block in time for the budget announcement that was scheduled for 1600 hours.”

The closure of the VSF was an important contributing factor to both Ms. Raitt and Mr. Bernier missing the vote. Also, the driver of a shuttle bus that experienced a delay at the shut VSF stated in an incident report provided to the Committee that some of the passengers aboard the bus he was driving were Members seeking to attend the vote.

On May 9, 2017, during her appearance before the Committee, both Ms. Raitt and Mr. Bernier told the Committee that they found the uncertainty of the situation they found themselves in on March 22, 2017, that caused them to miss the vote and nearly miss the presentation of the budget, to be frustrating. Both were hopeful that the Committee's deliberations and recommendations on the matter would raise awareness of the importance of Member's free access to the parliamentary precinct, that the communication protocols within the PPS would improve, and that the review of the incident would yield changes to prevent similar incidents from occurring in the future. Ms. Raitt also told the Committee she was aware of the need for a balance to be struck between safety and security on Parliament Hill and the ability of Members to move freely within the precinct. However, concerning the question of privilege, she felt that security wrongfully took precedence over her right to access the Hill freely.

During his appearance before the Committee on May 9, 2017, Supt. O’Beirne apologized unreservedly to Ms. Raitt and Mr. Bernier, and to the broader institution of Parliament, for the unnecessary delay that transpired, especially as it was an important contributing factor to both Members missing a vote. He accepted responsibility for the incident. Supt. O’Beirne assured the Committee that the PPS remained committed to ensuring that the rights, privileges, and immunities afforded to parliamentarians continued to be protected, while at the same time maintaining the important physical security requirements on and around Parliament Hill and the parliamentary precinct.

Supt. O’Beirne outlined for the Committee the steps taken by the PPS, prior to and after the incident, to prevent the re-occurrence of a similar unnecessary delay for members in accessing the parliamentary precinct. These were:

- ensuring the training curriculum for PPS recruits provides an overview of parliamentary privilege;

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• providing a parliamentary privilege pamphlet to security partners operating within the precinct in support of PPS for major operations;

• reiterating information on parliamentary privilege at all operational briefings and ensuring that the rights of Members remains a central consideration in all operational plans; and

• alerting all PPS personnel by radio of pending votes so that all measures can be taken to ensure unfettered access for Members.

During his appearance before the Committee, the Chair recommended to Supt. O’Beirne that the PPS examine the feasibility of installing lights at the VSF that flash to indicate bells are ringing for a vote in either Chamber, similar to those found inside the buildings on the parliamentary precinct.

Supt. O’Beirne also noted that the PPS continues to consult with the administration of both the House of Commons and the Senate to improve their existing training and ongoing education programs to ensure incidents of this nature were prevented in the future.

Parliamentary privilege

In his ruling on April 6, 2017, the Speaker of the House of Commons affirmed that, as part of parliamentary privilege, Members of the House of Commons possess a right to unimpeded and unfettered access to Parliament Hill and the parliamentary precinct, and were entitled to go about their parliamentary duties and functions undisturbed and without any form of interference.

This privilege is based on the pre-eminent claim of the House to the attendance and service of its Members, and their right to be free from obstruction, intimidation and interference. The House cannot perform its functions without the unimpeded use of the services of its Members.

In carrying out their parliamentary duties and functions, Members are not to be threatened, challenged, intimidated, or otherwise obstructed. Such obstruction can take many forms, and many acts and omissions can impede Members in carrying out their parliamentary functions, and, therefore, constitute contempts of the House.

It is a privilege that has old roots in the Westminster parliamentary system that Canada adopted at Confederation, and cases in which Parliament has asserted the right of its membership to attend either House without obstruction date at least as far back as April 12, 1733. That year, the British House of Commons resolved: “That the assaulting, insulting or menacing any member of this House, in his coming to or going from the House […] is a high infringement of the privilege of this House, a most outrageous and dangerous violation of the rights of Parliament and an high crime and misdemeanour.”

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3 United Kingdom House of Commons, *Journals* (1732-37), p. 115
Discussion

The Committee has little choice but to find troublesome the frequency of incidents in the recent past in which Members have found their free access to Parliament and the parliamentary precinct to be unduly impeded. On no less than four occasions during the period from March 2012 to May 2017, the Speaker of the House Commons has ruled that prima facie cases of privilege have occurred in which members have had their right to free access to Parliament impeded. Both the Speaker and the Committee have in the past repeatedly underscored the existence and importance of this privilege as one that remains fundamental to the orderly conduct of business of the House and closely related to Members’ ability to carry out their functions as legislators and representatives; the Committee re-affirms this right.

Further, while the Committee was engaged in its study on this question of privilege, a member of the Committee, Mr. David Christopherson, M.P. for Hamilton Centre, was involved in an incident in which the shuttle bus he was riding on from the Justice Building to Parliament Hill was halted for an extended period of time at the VSF. Mr. Christopherson rose in the House on May 11, 2017, on a question of privilege regarding this matter. The incident had occurred earlier that same day, as a large crowd was gathering on Parliament Hill for the March for Life rally. While halted at the VSF, Mr. Christopherson inquired with the bus driver as to when the bus would be able to proceed. He was told “it could be a delay of five to 10 minutes.” According to Mr. Christopherson, the crowd attending the rally had spilled off the sidewalk and onto the drive that leads up on to Parliament Hill, and the PPS had only just started to erect barricades to keep the public off the drive, in order to allow vehicle traffic on the Hill to fully circulate.

Mr. Christopherson told the Speaker that he was not seeking a ruling on this but rather wanted to include the incident as part of the Committee’s study. He further expressed frustration that the security planning during large public gatherings still did not appear to prioritize the right of Members to have unimpeded access to Parliament Hill.

Turning to the specific case referred to the Committee, Committee members first want to express that they appreciate and fully accept Supt. O’Beirne's apology on behalf of the PPS, for which he is Acting Director, regarding this matter. The Committee recognizes that the array of challenges that the PPS faces in delivering around-the-clock security for Parliament Hill and the parliamentary precinct makes their duty a difficult, fluid and complicated undertaking. The Committee is cognizant of the challenges the PPS faces, and it is grateful to the PPS for their hard work in ensuring the parliamentary precinct remains a safe setting in which the proceedings of Parliament can effectively be transacted without fear of outside interference.

The Committee confers high importance and gravity to matters of parliamentary privilege. In line with past precedents, the Committee strongly believes that the right of unimpeded access for parliamentarians to the parliamentary precinct is of the upmost importance and that obstruction or interference with Members engaged in parliamentary business cannot

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be condoned. In giving thorough review to the question of privilege at hand, the Committee gathered the known facts and circumstances of the case and weighed them against precedent, practice and established standards. The essence of the Committee’s deliberations centred on questions and implications related to the services provided to Members, such as the shuttle buses, and their relation to the capacity of Members seeking to carry out their parliamentary functions. These questions could not be readily resolved and, as such, the Committee did not reach a conclusion as to whether a technical breach of privilege had occurred or did not occur in this case.

Given that the Committee attaches a high degree of importance to the right of the free movement of Members within the parliamentary precinct, the Committee unanimously agreed to commit itself to undertake a thorough review to begin in 2017 of matters related to Members’ free and unfettered access to Parliament, including but not limited to:

- the service standards and requirements related to the transportation services provided to Members and parliamentary staff;
- the transportation requirements for mobility impaired Members;
- the communication structure and network employed by security and transportation providers on and around the parliamentary precinct, especially as it relates to Members access to Parliament Hill for votes;
- improving education and increasing awareness on the part of Members and the PPS regarding expectations, obligations and rights related to the parliamentary privilege of Members of unfettered access to the parliamentary precinct; and
- placing increased emphasis on the prioritization of Members’ right of unimpeded access to the parliamentary precinct, including shuttle bus transportation frequency and clearance, during the planning and execution stages of any and all security plans.

The Committee remains optimistic and confident that the matters raised by Ms. Raitt, Mr. Bernier and Mr. Christopherson will ultimately serve as opportunities to further enhance the design and implementation of a system of security for Parliament that remains accountable to its membership and ensures the appropriate balance is struck between physical security and parliamentary privilege.

A copy of the relevant Minutes of Proceedings (Meetings Nos. 56, 57, 58, 60, 61, 63, 65) is tabled.

Respectfully submitted,

Hon. Larry Bagnell
Chair
Supplementary opinion to the Question of Privilege co-signed by the permanent Liberal members of the committee

It was the fervent hope of the majority of Members across party lines to produce a unanimous report on such an important topic as the privileges of Members.

Privilege should not be confused with expectation of service. Privilege is, at its core, the right of Members to have the freedom to perform their duties without obstruction, intimidation, or interference.

In the case before us, as described in the report, two Members of Parliament were waiting for a House of Commons shuttle bus that, in turn, was waiting to be released from the Vehicle Screening Facility (VSF). The VSF was waiting for permission to reopen the facility. It had been shut down, secured, and vehicle access was suspended to accommodate the secured and escorted charter bus carrying members of the media, still under lockup, to Centre Block for the Budget, by bypassing the VSF through the bollards on South Drive. The cumulative wait of approximately ten minutes was sufficiently long that by the time the Members gave up and walked to the House, the vote had already begun and they were thus unable to participate in that vote.

Voting is the most fundamental duty of any Member of Parliament, and we take this matter very seriously. It is through voting that our constituents are represented at the most basic level. It is by every Member having the right to vote that governments live or die. A Member of Parliament impeded from voting at the wrong moment can cause a government to lose a vote of confidence and directly result in a national election. It is not a matter to be treated lightly.

The proceedings of the Committee on this important matter became bogged down on a fundamental issue: did the affected Members have the freedom to perform their duties without obstruction, intimidation, or interference? Did they have free and unimpeded access to Parliament buildings? Were they, in fact, obstructed?

Members were very divided on this issue. Furthermore, the Committee wished to avoid a question of privilege being decided along party lines, which we all considered to be a negative outcome for such an important and fundamentally non-partisan issue. To avoid this, there was agreement that the Committee would conclude that we were unable to reach a conclusion as to whether a technical breach of privilege had occurred in this case. Instead, the preference was to propose at study of the root causes in greater depth at a later date and in so doing, strive for a unanimous report. It was the hope of the Liberal members of the Committee that moving forward in this fashion would help avoid any supplementary or dissenting opinions. There was consensus on a number of items which would justify such an approach. This approach, however, was not possible, which has forced us to take the unusual step of appending this
supplementary opinion along those with our colleagues from the two opposition parties to ensure that the position of Liberal Members of the Committee would be reflected as well.

Based on the evidence presented, it is the opinion of the Liberal members of the committee that the Members in question were not obstructed in their movement and that the privileges of these Members were not breached. They were free to enter the bus shelter and they were free to exit the bus shelter and head to the House on foot. No person, group, or act forced, coerced, or obstructed their movement. They demonstrated this freedom of movement by, eventually, walking up to the House prior to the reopening of the VSF. They did, in fact, have “unimpeded and unfettered access” to parliament. Their movement was never “obstructed, fettered, or impeded.” They made a decision to wait for the bus. In fact, Ms. Raitt said in her testimony: “Unfortunately, my colleague from Beauce and I were both caught up in the moment.” They missed the vote because they simply did not allow enough time to get to their seats for the vote.

We do not, in any way, blame the affected Members for their decision to wait for the bus to be released by the VSF, rather than walk; it was a reasonable expectation that the bus would eventually come. The shuttle bus service, as it currently exists, however, is not, on its own, a right for Members. Whether this service to Members should be, and how they should work, is a matter we hope to study at greater length after the summer adjournment in order to avoid any further such incidents.

We are disappointed that the opposition chose to politicise the issue by repeatedly referring to the Prime Minister’s motorcade in their interventions, and, by their own admission, use the incident in order to filibuster the proceedings of the House. While the Members asserting privilege in this case insist that VSF personnel told Mr. Bernier that the Prime Minister’s motorcade was the cause of the delay, we know from the Division IV radio recording and transcript, as well as the testimony by Acting Parliamentary Protective Service (PPS) Director Superintendent O’Beirne, that the VSF personnel were aware that the delay was caused by the Budget lockup media bus, and that at no time was the Prime Minister’s motorcade discussed, nor seen on any of the numerous video tapes of the incident presented.

We also heard that bus drivers reported that Members were on some of the three buses held at the VSF. The Committee did not hear any direct evidence of this and no Member has come forward to assert their privilege in this regard. With no complainant, it is outside the scope of this study to consider whether the privileges of these hypothetical Members may have been breached. We do not find that privilege was breached in this case, as the Members asserting privilege were at no time actually obstructed or impeded in their movements.
We do agree that there are underlying issues that must be addressed, which include the operation of the bus service, the balance between security of, and access for, Members, particularly at the perimeter of the precinct, as well as appropriate training for PPS members including those assigned by the RCMP. These are issues that require separate and greater in-depth study to be appropriately addressed and resolved.

Additionally, in looking at previous PROC reports on questions of privilege related to obstruction, we could find no relevant precedent for the situation before us.

It is, therefore, our opinion that the privileges of Mr. Bernier and Ms. Raitt were not breached.
SUPPLEMENTARY OPINIONS OF THE OFFICIAL OPPOSITION

The Official Opposition agrees with the summary of the evidence as presented in the report, and fully agrees with the plan for a thorough review, which should be undertaken soon, by the Committee concerning the shuttle bus system.

As the report notes, the Committee did not come to a conclusion on whether a breach of privilege occurred. These supplementary opinions set out the conclusions of the Official Opposition on the matter.

Breach of Privilege (Mr. Bernier and Ms. Raitt)

The House of Commons has an organized shuttle bus service operating on and near Parliament Hill, in order to assist Members and staff in attending to their parliamentary responsibilities in a timely way across our spread-out “campus”.

The bus service has become an accepted and established part of life on Parliament Hill, and certainly so for the many Members who do not have Centre Block offices and are responding to the bells for an unscheduled vote, such as the one which occurred on March 22, 2017.

Ms. Raitt and Mr. Bernier were no different in this regard. Admittedly, these two Members were not physically restrained or otherwise detained; they were at liberty to walk away from the bus stop at which they were located, such that they were not physically obstructed.

However, given that there were shuttle buses mere feet away from them, facing them, and without any reason obvious to them as to why those buses would not come to them imminently, it was perfectly reasonable and sensible for them to wait at the bus stop. The Members would have made it to the House in time for the vote but for the bus delays.

In this sense, it is the Official Opposition members’ view that the evidence before the Committee confirms that Mr. Bernier and Ms. Raitt were constructively impeded in their access to the House of Commons, amounting to a breach of privilege.

Breach of Privilege (Unidentified Members)

It was established, in the report of a bus driver—a report which was not contradicted by any other evidence before the Committee—that Members were on a bus which was detained at the Vehicle Screening Facility for upwards of nine minutes.

Though these Members did not come forward, that is no barrier to the fact that, nonetheless, the Committee had sufficient evidence before it to make out a breach of
privileges in respect of these unidentified Members. The Official Opposition accordingly takes that view.

**Breach of Privilege (Rights of the House)**

The procedural authorities, as recited in the report, establish that the right of Members to be free from obstruction, impediments, etc., flows from the House’s claim to have the pre-eminent right to the attendance and services of its Members. This point was reiterated in earlier reports by this Committee’s predecessors (e.g., the Sixty-sixth Report in the First Session of the 36th Parliament (1997-99), and the Twenty-first Report in the First Session of the 38th Parliament (2004-05)).

As noted above, the House has an organized shuttle bus service operating on and near Parliament Hill, in order to assist Members and staff in attending to their parliamentary responsibilities. It is natural to see this as a means by which the House ensures, in view of the spread-out nature of parliamentary offices, that it can easily have the attendance and services of its Members. From there, it follows that an impediment to this bus service can be construed as an impediment to the House’s pre-eminent right to the attendance and services of its Members. The Official Opposition accordingly takes this view.

Echoes of another access incident, studied in 2004, can be found in our present situation concerning the preferential access received by strangers—in the present case, the media bus. The report on that earlier privilege study observed, “We acknowledge that there will be times when access cannot be allowed for anyone for reasons of safety and security or otherwise. The difficulty in this case was that Members were prevented from accessing the Hill, but other persons were allowed through the security cordons. This must not be allowed to be repeated.” (Twenty-first Report of the Committee, 38th Parliament, First Session (2004-05))

**Comments on the Actions of the Parliamentary Protective Service**

No one should read into our conclusions any lack of respect for the hard-working members of the Parliamentary Protective Service, and their law enforcement colleagues; we certainly associate ourselves with the sentiments expressed in the Committee report.

In fact, we were impressed with the efforts of the staff working in the Vehicle Screening Facility in striving to end the bus obstruction. The evidence before the Committee showed that confirmation of whether inbound vehicles needed to be held was sought twice—65 seconds and, again, five minutes and 11 seconds—after the media bus had entered Parliament Hill.
Procedural Postscript

Though it was not addressed substantively, in the course of the study, the context in which the question of privilege was referred to the Committee merits comment.

Ms. Raitt’s privilege motion was superseded, after less than four hours’ debate, by a motion to proceed to the Orders of the Day.

Mr. Nater raised a second question of privilege, seeking to revive the original privilege proceedings to allow the House to reach a decision on the important issue. As the Speaker’s ruling noted, it was entirely unprecedented to use a superseding motion during a privilege debate.

To prevent a recurrence of this situation—and the attending confusion and complications—the Official Opposition recommends that the Committee, when it resumes its review of the Standing Orders later in this Parliament, explore the merits of amending Standing Order 59, which gives priority to motions to proceed to the Orders of the Day, to clarify that its use is limited to Routine Proceedings. By operation of other Standing Orders, such motions can no longer be offered during Government Orders or Private Members’ Business; this amendment would put privilege debates on the same footing, for this purpose.
Supplementary Opinion of the New Democratic Party of Canada (NDP)

While the NDP, along with all other members of the committee, support the final report as an accurate reflection of the testimony, evidence, and deliberations of the committee, we would like to take this opportunity to further express our position that a breach of the Members’ privilege did occur.

We believe that whether Ms. Raitt and Mr. Bernier were on the bus that had been stopped or waiting for a bus that has been detained right across from their bus stop is a distinction without a difference in this matter. Members of Parliament who are provided a service, such as bus service, have a reasonable expectation that this service will be available to them when needed, particularly when a vote has been called. Had the buses that were held, in the words of Parliamentary Protective Service Director Supt. O’Beirne, “due to the erroneous and extended temporary closure” of Vehicle Screening Facility, been released after the media bus had arrived at Centre Block, it is very possible, if not highly likely, that Ms. Raitt and Mr. Bernier would have arrived in the House in time for the vote.

While we accept that all Members have a personal responsibility to ensure they arrive in the House in time for a vote, we also understand that there will be circumstances—including but not limited to permanent or temporary disability, inclement weather, and other safety concerns—where the shuttle bus service is critical in order to allow for a Member to move throughout the Parliamentary Precinct in a safe and timely manner. We expect that any future request of the committee to study a prima facie breach of privilege that resulted from similar problems with the bus services would be examined on its own merits and not simply dismissed by citing this case a precedent.

The NDP also has continuing concerns with the Royal Canadian Mounted Police (RCMP) being provided operational command and control over security of the Parliamentary Precinct. We firmly believe that the current security structure violates the sovereignty of Parliament by removing the responsibility and control for security from the Speaker, a servant of the House, and instead providing it to the RCMP, who are ultimately controlled by the Executive. This is break from longstanding convention and practices dating back to the 17th century, and in prior committee testimony, the Director of the Parliamentary Protective Services, who remains an active RCMP officer despite his position as Director, made it clear that he continues to report to the Commissioner of the RCMP, and therefore, to the Minister of Public Safety. This chain of command should be of great concern to all Parliamentarians.

Furthermore, on an operational level, we believe that due to their history, their culture, and their familiarity and understanding of Members privilege, the Parliamentary Protective Service, free from RCMP influence and under control of the Speaker,
remains best suited to be in command and to undertake security operations on the Parliamentary Precinct.

The above notwithstanding, the NDP would like to thank the committee and the witnesses for the thorough review of this incident. It is our sincere hope that this report, and the committee’s future study on Members’ free and unfettered access to Parliament, will prevent incidents such as that which occurred on March 22, 2017 from happening again in the future.