

**EXCERPT OF VERBATIM NOTES OF THE THIRTEENTH MEETING OF THE JOINT SELECT COMMITTEE ON SOCIAL SERVICES AND PUBLIC ADMINISTRATION, HELD IN THE ANR ROBINSON MEETING ROOM (WEST), LEVEL 9, OFFICE OF THE PARLIAMENT, TOWER D, THE PORT OF SPAIN INTERNATIONAL WATERFRONT CENTRE, #1A WRIGHTSON ROAD, PORT OF SPAIN, ON WEDNESDAY, APRIL 19, 2017 AT 9.35 A.M.**

**PRESENT**

Dr. Dhanayshar Mahabir	Chairman
Mr. Esmond Forde	Vice-Chairman
Brig. Gen. Ancil Antoine	Member
Mrs. Christine Newallo-Hosein	Member
Mr. Rohan Sinanan	Member
Ms. Ayanna Lewis	Member
Mr. Julien Ogilvie	Secretary
Miss Kimberly Mitchell	Assistant Secretary

**ABSENT**

Miss Khadijah Ameen	Member [ <i>Excused</i> ]
Mrs. Glenda Jennings-Smith	Member [ <i>Excused</i> ]

**10.35 a.m.:** *Meeting resumed.*

**Environment Management Authority**

Ms. Gayatri Badri Maharaj	General Manager, Legal, Compliance and Enforcement
Mr. Wayne Rajkumar	Manager, Technical Services
Mr. Maurice Wishart	Legal Officer III

**Animal Welfare Network**

Ms. Patricia Green	Chairman
Ms. Sita Kuruvilla	Committee Member

**Trinidad and Tobago Veterinary Association**

Dr. Nicholas Mackenzie	President
Dr. Sabrina Thomas	Board Member

## Ministry of Agriculture, Land and Fisheries

Mr. Claudelle Mc Kellar	Deputy Permanent Secretary
Dr. Michelle Mellowes	Deputy Director, Animal Production and Health Division
Mr. Dirk Ramdin	Senior Legal Officer, Legal Services Unit

**Mr. Chairman:** Good morning and welcome to this enquiry, second public enquiry into the adverse health effects of fireworks in Trinidad and Tobago. The officials who are here with us this morning are officials from the Ministry of Agriculture, Land and Fisheries, the Environmental Management Authority, the Animal Welfare Network, and the Trinidad and Tobago Veterinary Association.

This is the Thirteenth Meeting of the Joint Select Committee on Social Services and Public Administration, and we want to welcome in addition to our officials who will be providing testimony to us this morning, we want to welcome all of our viewers on the Parliament channel and also on Parliament radio. At this point in time I would like to remind all, both of the witnesses who are here as well as individuals who are listening outside about the objectives of this today's enquiry. The first objective of today's enquiry is:

1. To understand the possible impact of fireworks on human health and the extent of injuries associated with the improper use of fireworks.
2. To assess the adequacy of law enforcement measures in place to regulate the use of fireworks and explosive devices by members of the public.
3. To assess the adequacy of the legal framework governing the use of fireworks and explosives by members of the public.

At this point in time I will ask the officials from the various agencies who are here with us today to introduce themselves briefly, subsequently I will ask certain representatives to offer opening remarks to us, prior to us beginning our own enquiry. So, may I invite the officials from the Ministry of Agriculture to introduce themselves and then I will move on to all other officials. Thank you.

*[Introductions made]*

**Mr. Chairman:** Members of the EMA.

*[Introductions made]*

**Mr. Chairman:** Animal and Welfare Network

*[Introductions made]*

**Mr. Chairman:** Trinidad and Tobago Veterinary Association.

*[Introductions made]*

**Mr. Chairman:** Thank you very much. Any other member? Yes.

*[Introductions made]*

**Mr. Chairman:** Thank you very much witnesses, and I will now invite members of the Committee to introduce themselves, and I will start with my right.

*[Introductions made]*

**10.40 a.m.**

**Mr. Chairman:** At this point I will like to ask the key representatives to make some brief opening statements before we begin our enquiry. May I invite the Ministry of Agriculture, Land and Fisheries to begin, then the EMA, we then proceed to the Animal Welfare Network and the Veterinary Association in that order.

**Mr. Kellar:** Thank you, Chair. I will be brief. The Ministry of Agriculture, Land and Fisheries recognizes that the issue of—the impact of explosives, fireworks on animal health/welfare is one of growing concern, not only locally but internationally, and we welcome the opportunity to present ourselves before the Committee this morning to share in the discussion which is what we hope will be a fruitful one.

**Mr. Chairman:** Thank you very much. Environmental Management Authority.

**Ms. Badri Maharaj:** Good morning Chair and members. We are happy to be here this morning and we, as well, do hope that we can be of assistance to the Committee. We have produced some of our statements in writing and we are willing to cooperate as fully as possible.

**Mr. Chairman:** Thank you very much. Animal Welfare Network.

**Ms. Green:** Chair, members, we have seen the results of the indiscriminate use of fireworks which has escalated over the last few years and we appreciate this opportunity to address you because we do feel that this is an area which needs regulation. Thank you.

**Mr. Chairman:** Thank you very much. Veterinary Association.

**Dr. Mackenzie:** Thank you again, Chair, for having us. We at the Trinidad and Tobago Veterinary Association represent the professional body of veterinarians in Trinidad. As such, this is something that is on the forefront of what we want to deal with this year and in the coming years.

Recently in Trinidad there has been a sharp increase in the number of pets—dogs and cats and exotic pets—and as such we have seen a sharp rise in firework related injuries. I think it goes hand in hand with the increase in the pet population therefore increase in incidents and it is a major concern for us now so we are happy to be here to address that.

**Mr. Chairman:** Thank you very much, Veterinary Association. The format will be, I will regulate the proceedings and of course members will pose their questions and as Chairman I exercise the prerogative of the Chairman to open the questioning and I shall pose a few small questions before we begin the general enquiry. And the first is to the Veterinary Association. You indicated that there has been a growth in the pet population in Trinidad and Tobago. Have you seen over the last five years or so an increase in the number of comfort animals in Trinidad and Tobago where people have certain pets which are used to provide some kind of comfort to them, who may be suffering some sort of mental problem? Have you seen that at all? Therapy animals, yes.

**Dr. Mackenzie:** I will answer the question in two parts. Firstly, yes, there is definitely been an increase in the number of household pets, domestic pets in Trinidad. Certainly that will go hand in hand with comfort animals. I think, generally, Trinidad has become a lot of more pet conscious, pet aware. There are many reasons for that. I think with the advent of believe it or not, cable TV, *Animal Planet*, the awareness of the population in general to what is expected in terms of animal care and welfare, we found that the population growth has increased sharply, which is a good thing, it is a positive thing.

In the second part to your question is, what goes hand in hand with that is, yes, certainly it is an increase for companion animals that will help people in mental illness and so on.

**Mr. Chairman:** Thank you very much doctor. Briefly now to the Environmental Management Authority. I noted your submission and I would like to get your response with respect to section 2 of the EMA Act and in particular definitions. Under definitions, it states:

“noise pollution’ means any disturbance of the environment by a pollutant consisting of sound or other vibrations;”

This is the definition of the EMA Act of 2000. And the guidance I need to get from the Environmental Management Authority is, whether in your opinion the explosive devices of any form which creates noise in the atmosphere falls under your remit for oversight, recommendation or control. I will read it again:

“noise pollution’ means any disturbance of the environment by a pollutant consisting of

sound or other vibrations”

Your position as to your remit with respect to fireworks regulations.

**Ms. Badri Maharaj:** Chair, the noise Pollution Control Rules was promulgated in 2001. The remit of the Environmental Management Authority, indeed we treat with noise, but noise as it relates to static devices. Noise from motor vehicles, et cetera, that is not within the remit of the EMA. Noise from fireworks however, we are not saying that we are not treating with the issue of fireworks. In the issue with the noise variation process, we do deal with fireworks. To answer the question as to whether it falls within the remit of the EMA, I would suggest, and perhaps strongly so, that it does fall within the remit of other agencies as well and the EMA, we are the last agency treating with this issue of fireworks, but from a regulatory perspective.

**Mr. Chairman:** Okay. Follow-up question. Have you ever undertaken any study with respect to the decibel level of an explosive device or explosive devices during a fireworks explosion or fireworks display? Have you ever done that to let the population know what the decibel level is in relation to what is normal?

**Ms. Badri Maharaj:** At this stage, Chairman, we have not undertaken any such study.

**Mr. Chairman:** Okay. Do you think it is something that, as an environmental agency, you should be interested in?

**Ms. Badri Maharaj:** We do have a Noise Advisory Council and that Council is a Council that is established under the Noise Pollution Control Rules and indeed it is something we can take to that Council.

**Mr. Chairman:** So at this point in time we do not have any scientific evidence, this Committee does not have any scientific evidence to guide us with respect to the decibel levels of the explosive devices known as fireworks in Trinidad and Tobago.

**Ms. Badri Maharaj:** What we do have, Chair, is, we do regulate to some extent as I say through the variation process. But to answer your question, no, that is not existing at this time.

**Mr. Chairman:** Okay. Very well. Thank you very much. Now, to the Ministry of Agriculture, Land and Fisheries. The Ministry of Agriculture, Land and Fisheries, this is what I would like to pose to you and I would like to read section 78 and section 79 of the Summary Offences Act, Chap. 11:02. This is subtitled:

“CRUELTY TO ANIMALS”

Are you aware of sections 78 and 79 of the Summary Offences Act?

**Hon. Member:** Chair, we are aware.

**Mr. Chairman:** Very well. Okay. For the benefit of the population I would like to read, because under section 78 it says:

“In sections 79 to 90 (inclusive) ‘animal’ means any horse, mare, gelding, colt, filly, bull, cow, ox, steer, heifer, calf, mule, ass, ram, ewe, sheep, lamb, boar, sow, barrow, hog, pig, goat, kid, dog, cat, or any other domestic animal, whether of the kind or species particularly mentioned or of any other kind or species whatsoever, and whether a quadruped or not.”

And then section 79 continues:

“(1) Any person who cruelly beats, ill-treats, starves, overdrives, overrides, overloads, abuses, tortures, or otherwise maltreats any animal is liable to a fine of four hundred dollars or to imprisonment for two months.”

To the Ministry of Agriculture, Land and Fisheries, do you think it is under your control to supervise the treatment of animals in Trinidad and Tobago, both of the kind mentioned, as well as dogs and cats, and to sensitize the population as to the consequences of ill-treating animals including dogs and cats?—because the law is very clear. It says:

“...or otherwise maltreats any animal...”

—anything that will cause injury, anything—this law is very broad, anything that will cause an injury to an animal you could be:

“...liable to a fine of four hundred dollars or to imprisonment for two months.”

What do you think is the role of the Ministry of Agriculture, Land and Fisheries in enforcing sections 78 and 79 of the Summary Offences Act?

**Mr. Kellar:** Chair, I think I obviously need to be particularly careful in making a response to that question that has been posed. It contains very many facets and aspects. The definition of animal is a long one, so I will try to choose my words as carefully as possible.

Admittedly, at the point in time when the legislation was crafted, I am not sure whether it was considered that the Ministry of Agriculture, Land and Fisheries— well, obviously there was not a Ministry of Agriculture, Land and Fisheries at that time—should be the Ministry or a Ministry that would be responsible for providing oversight for the care of animals as defined in the section.

The Ministry’s remit, as we tend to see it, lies closely to another piece of legislation which deals with the animal importation, Animals (Diseases and Importation) Act—I am paraphrasing—which essentially gives the Ministry of Agriculture, Land and Fisheries responsibility for looking

at animal health and the control of infectious diseases. Yes, the issue of how animals are treated is of concern to the Ministry of Agriculture, Land and Fisheries and we do see our remit lying primarily with animals that are kept for food production purposes, the pigs, the goats, the cows and the like, and certainly we would not want to know that persons are ill-treating animals. The Summary Offences Act speaks to that, that animals should not be treated with cruelty and we certainly would want to maintain civil practices, humane practices to animals. But I am not sure that under the piece of legislation that you quoted initially that that remit falls solely on the shoulders of the Ministry of Agriculture, Land and Fisheries.

We do acknowledge that over time as people, societies become more enlightened, roles can evolve and develop and to the extent that coming out of this discussion if we see that is part of the remit of the Ministry, I think we would be willing to consider.

**Mr. Chairman:** Okay. Thank you very much, Deputy Permanent Secretary, but may I quote from the Trinidad and Tobago *Gazette*, December 04, 2015.

“Minister

Ministry of Agriculture, Land and Fisheries”

It gives a great deal of activities and it starts with:

“Agricultural Policy and Planning

Agricultural Research”

—and then:

“Animal Health and Protection”

If you do not have this I will forward it to you. It is very clear to me, reading the *Gazette* of December 04, 2015 that the Ministry of Agriculture, Land and Fisheries is duty bound, according to the *Gazette*, to look after animal health and protection. The *Gazette* is very clear.

So I would like to forward this to you and we would like to get subsequent from you, in writing, your position with respect to, really, because at this time the Committee is not aware of whether any citizen within recent time has been charged with a violation of section 79 of the Summary Offences Act and what kind of guidance is given to the police in Trinidad and Tobago by any arm of the State to ensure that a charge could be laid and given that the *Gazette* is very clear with respect to the duties of the Ministry of Agriculture, Land and Fisheries, Animal Health and Protection, I would recommend that you look at the December 04<sup>th</sup> *Gazette*, look at sections 78 and 79 and determine whether in fact it really falls within your remit, to advise the police or to

have any arm or agency to look at the ill-treatment of animals, within the Ministry of Agriculture, Land and Fisheries.

Finally, to Animal Welfare Network, I shall not be quoting any law guiding the Animal Welfare Network, but within recent times we have really seen, as the Veterinary Association representative indicated, an explosion of the pet population in Trinidad and Tobago. Could you, from the experience you have had over the last number of years, indicate briefly what your organization has observed with respect to the effects of these explosive devices on the standard types of pets kept in Trinidad and Tobago, in particular dogs and cats.

**Ms. Green:** Thank you, Chair. We have noticed a proliferation of pets being injured as a result of the fear caused by these loud explosions. As Dr. Mackenzie observed, we keep in close touch with a number of veterinary clinics across the country and a recent survey that we did suggested that there is a definite increase in the appearance of patients with fireworks related injuries any time, particularly between Divali and shortly after the New Year; this is very regrettable. Those are, though, the animals which are in some ways fortunate and have owners that care enough to take them for veterinary care when injured.

There is another aspect which we have noted. There are many reports that come in to us via telephone, email, our facebook page, which is very active, and these are regarding dogs and cats which are lost by their owners, and also reports of animals being seen running on the nation's highways and in other districts. The dogs and cats, in particular, which are seen on the highways, unfortunately, are often hit by vehicles, therefore deceased. But they can also potentially be a cause of accidents.

There was one particular case some years ago where there was an accident which unfortunately also involved a human death, but it appeared to have been caused by an animal rushing into the traffic at Valsayn, a person taking a natural reaction to trying to avoid hitting it and hitting another car. That is one example. I am sure there are many others known to people who follow this. So we have a number of concerns about this.

There is another point which has come up during the survey, which is a tremendous increase in the request to veterinary clinics for tranquilizers for our pet animals. Basically we understand veterinarians have advised us that you simply cannot tranquilize animals throughout an entire season. I will leave any further remarks on that to Dr. Mackenzie. But, as you can see, you cannot keep an animal doped up from October to the end of January.

**Mr. Chairman:** Very well. Do you think that if the animal is tranquilized from October to January, it will constitute cruel and unusual punishment, cruelty to animals?

**Ms. Green:** I would prefer if you ask that question to Dr. Mackenzie, Chair.

**Mr. Chairman:** Very well, thank you very much. Okay, I will direct it to the Veterinary Association. Do you think that a prolonged period of tranquilization constitutes really, injury, cruelty to animals as per the requirements of the Summary Offences Act, cruelty to animals, if you were to tranquilize on a daily basis?

**Dr. Mackenzie:** Thank you. Sedation/tranquilization is almost a mild form of anesthesia and we can relate this to any mammal including humans. It is not feasible and it is certainly not healthy. I think the animal is put at great risk for a prolonged or repeated sedations. That is medically proven.

**Mr. Chairman:** Thank you very much doctor. And now we will open up the questioning. I will begin with MP Newallo-Hosein and then MP Esmond Forde has a second question, we will move around in that way.

**Ms. Newallo-Hosein:** Thank you, Chair. The question is to Dr. Mackenzie. Dr. Mackenzie, you had indicated in your opening statement that you have seen an increase in injuries particularly with fireworks and so forth. What types of injuries do you see and what percentage of those injuries would you say are wilful?

**Dr. Mackenzie:** Thank you. There are many ways to answer that question. I will just start with the most common complain that we get is one of distress, fear and anxiety and I know this personally with my own dogs. Secondly, we see physical injury to animals as they try to escape the area. So if there is firework overhead in the neighbourhood, for example. I have injuries, probably most commonly, of being hit by a car as they run out of their yards. Dogs have jumped eight-foot fences just out of fear alone and dogs, by nature of fright or flight, they try to survive. I have had dogs that have jumped through glass windows and been severely injured or have even died as a result of their injuries. Cats that run away, escape, again in a dog's mind or a cat's mind evading something like firework explosions, loud noises, it is just for survival so there is no reasoning to what they do when they try to escape.

I think overwhelmingly the biggest complaint or report that we get is of fear and anxiety. There are a number of firework related injuries, to answer the last part of your question, that are malicious. We have seen evidence physically in the practice and people sending photos of cats,

for example, that would have had firecrackers strapped to their heads or legs and similarly dogs, iguanas, birds and that deals with an entirely different level of neglect I think. It is absurd to what people in society can do. That is another side to it. But yes we do have a number of reports of purposely malicious injury, cruelty to animals, but in general if you are taking a neighbourhood, for example, and there are fireworks on New Year's Eve the injuries are vast and everything, from just fear and anxiety to broken limbs.

**Ms. Newallo-Hosein:** What would you recommend to a pet owner to minimize these injuries during a holiday period, such as, New Year's and you have fireworks. What recommendations would you make to mitigate against such injuries?

**Dr. Mackenzie:** It is a good question, hotly debated topic. Sedation is always a last resort for us because you need to make sure the pet is healthy before they undergo sedation. Our tranquilizers are, there is no happy medium. There are companies that have tried all natural tranquilizers which we have found not worked very well in the midst of these severe explosions that are obviously very loud. The medical tranquilization that the vets undertake will put a dog or a cat out for a number of hours and it is dangerous. It is not something we take lightly or we recommend.

So, even from my own personal experience, staying at home with your animals is probably the best way to keep them calm and there are certain devices that have been developed to help these animals cope with things like this. Dogs have an extremely advanced hearing as well as many of the other senses, smell and so on. So fireworks to a dog is many, many, many, times more severe in its effect than it is to a human being. Dogs also hear at a much broader frequency than humans do. So they can pick up on many different frequencies of sounds.

**Ms. Newallo-Hosein:** Doctor, are you aware of what is done in other countries, such as the US, who would have such festivities such as ourselves. What do they practice? What do their veterinarian association practise or enforce?

**Dr. Mackenzie:** Thank you. Similar, many of the—there are companies that have made, we call them “safety jackets or blankets,” so you can actually put a jacket on your pet which gives it the impression that it is being held or comforted. Generally what it boils down to with many of our clients and my colleagues abroad, especially in the US, people stay home. They do not go to these festivities because their pets are very high up on the list of priorities and they cannot bear to leave them home. I personally have a Yorkshire terrier, I cannot leave my home during fireworks. Her body temperature escalates to a very dangerous level because she shakes uncontrollably for hours

and I am lucky it is only one of my three that has it this severe. But it is a very, very, common problem. Sedatives are always the last resort, but sometimes they are necessary.

**Mr. Chairman:** Could I have a brief follow-up for clarification? I am looking at the term abuse of an animal under section 79 of the Summary Offences Act. And under normal conditions I would think that if you starve an animal, if you beat an animal, if you were to do anything like that, but exposing the animal like your terrier, for example, to a loud noise, would you say that is a severe abuse to the animal and under this particular Act, it could be considered similar to maybe starving the animal for three days?

**Dr. Mackenzie:** I certainly think it is a form of abuse, yes.

**Mr. Chairman:** A form. Is it a major abuse or a minor abuse?

**Dr. Mackenzie:** It is a major abuse.

**Mr. Chairman:** Major abuse. Thank you very much. A follow-up question from Brig. Ancil Antoine.

**Brig. Gen. Antoine:** To the Veterinary Association. Is there is a distinction between official fireworks? I mean independence night at the Queen's Park Savannah, when you pass by Clico and so, in Arima and in San Fernando. Is there a distinction between that type of firework and the firework that occur in communities spontaneously between Divali, say, and New Year's Day? The complaints that you are getting from the population, is there a distinction between them?

**Dr. Mackenzie:** Yes, I think the fireworks that are deployed in neighbourhoods tend to be the ones that affect the animals more, simply because, take for example the Queen's Park Savannah, there are no houses directly on the Queen's Park Savannah, so the loud boom and the bang, the dogs would pick this up similar to a thunderstorm, for example. Again, their sense of hearing is much more advanced than ours. But if you are in your house and anywhere in Trinidad where there is a neighbourhood there is going to be fireworks. Those firecrackers, scratch bombs, fireworks that are deployed are much, much, louder and tend to have a much more severe effect on the pets, yes. And also the main reason for that too is that the pet population or the density of the pet population is obviously within the neighbourhood and that tends to be the most popular place that these fireworks are deployed. Therefore that is where we see the incidents of injuries and anxiety and so on.

**Mr. Forde:** My question is directed to the EMA. We received a correspondence from your Managing Director and in the third paragraph it states:

We wish to underscore that the regulation and management of fireworks is not within the remit of the EMA. It is our firm belief that there are other competent entities that are responsible for the regulation of fireworks, particularly as it relates to the adverse health effects.

I have no problem with that. And it goes on to say:

In fact, in the past the EMA has used its discretion under the Environmental Management Act, Chap. 35:05, to regulate the noise emitted from fireworks through the Noise Pollution Control Rules.

And that is quoting from the Managing Director, Mr. Hayden Romano. My question to you, Ms. Badri Maharaj is, what does it hold for the future with regard to the EMA?

We have heard the different discourse from the Veterinary Association, from Ms. Patricia Green, the Animal Welfare Network and the noise levels, the extent that Dr. Mackenzie spoke about, thunderstorm and the different references. EMA deals with noise pollution, they have nothing to do with the health effects that goes with regard to the animals. What does the future hold for us, that we can look forward to, that the EMA is saying, listen we are going to do some research, we are going to get the statistic, we are going to get the empirical evidence in order to say, well look. What can we expect to get from the EMA for the future with regard to the noise pollution that emanates from fireworks?

**11.10a.m.**

**Ms. Badri Maharaj:** A couple questions there. We are saying through the Noise Pollution Control Rules there is a process to treat with noise pollution. The variations are what we utilize. It is a deviation from what is the regular, or what is the ordinary sound pressure level in three areas. It is the general area—we have three areas: environmentally sensitive area and an industrial area. We are currently looking at amending the Noise Pollution Control Rules to treat with various sources of sound. We are looking at all the comments that have been coming in. We have drafted these rules since 2001. Indeed, any comments that we receive we will be trying to incorporate if that is feasible. But we have done a study looking at the enforcement process when it comes to the use and regulation of fireworks.

The legislation is there to regulate fireworks: the Summary Offences Act; the Explosives Act and you have the Police Service Act. We are convinced that there is existing legislation to treat with fireworks. When the EMA comes in, I think where we can assist would be with respect

to the research, treating with the decibel level and perhaps we can, indeed, if fireworks, if it is a state where the EMA needs to intervene, we can look at amending to include fireworks in the Noise Pollution Control Rules. But we are saying at this stage, there is legislation treating with the enforcement of—looking to enforce fireworks in Trinidad and Tobago. What is happening is, we do not have enforcement.

**Mr. Forde:** No, but the aspect towards the future, coming out of it, noise pollution, humans, fine, but we are talking about animals today in terms of what are we expecting from you all within the future. Could we expect to say that research will be done; you all are going to look into it? I think that is what I am trying to get from you in terms of going forward. Because, again, we could meet today; we hear all the different concerns, all the complaints with regard to what is happening with animals, but we need to know, well, look, EMA has a role to play with noise. Not only noise from—noise far and wide as we can go. And we are saying that today the noise level from fireworks affects animals to the extent that an animal will jump an eight-foot fence. We heard that. That is information we heard today. What can we expect from you all? I think that is what I want to hear, what we can expect from you all. Because your GM has quoted some information here which, Mr. Chairman, is it incriminating? You know what I mean? He is the EMA Manager and, you know, this is what you are telling us. And you are here today and Mr. Romano is not here today, so hence the reason we have to pose the question to you in order to know, well, look, what can we expect for the future from the EMA to assist us in ensuring that the noise pollution that is affecting animals, we can look forward to some sort of legislation, recommendation to Parliament, to your Ministry, so that they can then bring forward in order for us to make a decision. Hence the reason why we are having—this is a very important session we are having here. Right? The fireworks, we have received numerous complaints from far and wide in Trinidad and Tobago and we need to get some sort of information.

**Ms. Badri Maharaj:** Vice-Chairman, we do have a strategy and research unit. Coming out of today's session and today's Committee hearing, I think this is what I can say to you. I can take back to my board and the managing director the fact that perhaps research needs to be done. It is not on our current work plan or strategic plan at this point in time, but I can take it back to the board and to the managing director and, you know, perhaps suggest that we do need some research on fireworks and the decibel levels and sound levels associated with fireworks.

**Mr. Chairman:** Thank you very much, Ms. Maharaj. Can I ask Mrs. Newallo-Hosein for a

follow-up and then—[*Interruption*] Okay, very well.

**Mr. Sinanan:** Thank you, Chair. Chair, I just am a bit concerned because I am listening to the EMA and I am not getting the sense of importance of the harm that the fireworks is causing to the animal population. This is something that has been going on for years. I am sure over the last 15 years we have been plagued with this problem and to hear today that the EMA is now, after this conversation, going to look at methods, it really does not give much hope going forward. I am also a little bit disappointed to hear the Ministry of Agriculture, Land and Fisheries is not too sure whether the protection of animals falls under their remit.

As an animal lover, I do love my pets and I, too, had an instance where—I mind horses and I saw a horse, after someone pelt a fire cracker, and the horse jumped an eight-foot fence and ran from Manzanilla to Mayaro on the roadway, which could have been a hazard for any vehicle coming on the road. But I am still not too comfortable that as a society we understand and we care about animals the way we should. I am wondering—if I could pose this question to EMA, Veterinary, Ministry of Agriculture, Land and Fisheries, everybody in the panel, if the time is not right that we should have a department of the police force that is dedicated to the cruelty to animals, just as we have the praedial larceny squad and things like that. Because if you cannot treat the animals in the society—your pets—in a certain way, it does not say much for the society. And I think, probably—I do not know—you could advise me if the time is not right now that we get a lot more serious about how we treat our pets. Who could answer that question?

**Dr. Mackenzie:** Thank you for the question, and I am sorry to hear about the incident with the horse. I am pleased to hear of your opinion. If we look at other countries, US and the UK, for example, the laws which protect animals are almost aligned with human beings and their penalties are very, very strict and very severe, hence the reason there are fewer and fewer animal cruelty cases in US, for example. And there is an entire body of the police force dedicated—we call them animal cops—to enforcing these laws. I have a number of personal police friends that have assisted me, personally and many other vets in Trinidad and Tobago, in cases of cruelty, where we visit the premises and try to uphold this charge and at least have some sort of scare tactic to the owner in the face of what is very obvious cruelty.

I think the time is most certainly now. In fact, the time has gone and we need to act on it now, because it is only going to get worse if we do not enforce either new laws or existing laws to help protect these animals, because the population is increasing, therefore the incidents of cruelty

is increasing and it is not going to get any better unless we act. So I appreciate your opinion. Thank you.

I think moving forward, just to answer a couple of the questions that were thrown out, I think the major problem lies with the indiscriminate use of fireworks. So, again, going back to the US and the UK which we will obviously look towards to see how they govern these situations, you have to have permits to buy or use fireworks. They have designated times, on the 4<sup>th</sup> of July, for example; times and locations where fireworks can be used. I am not, as the TTVA, proposing or as the Veterinary body, proposing a ban on fireworks. We just have to have regulated use of fireworks. So that at 10 o'clock in the morning when, to me, fireworks are no joy but certainly fire crackers are for kids and others—they want to hear the loud noise and see the explosion. That indiscriminate use is absurd and we cannot have people living in fear, and animals living in fear, because these things are going to be thrown and set off at any point in time. If you designate the holiday days, the festive days and so on, I think it is maybe not feasible to take away fireworks from people on these days, you know. We would need to govern the use of them. It is the indiscriminate use that causes the problem.

**Mr. Sinanan:** Just to follow up there. So do you agree that the time is right for a designated section of the police service just for the cruelty to animals in Trinidad and Tobago?

**Dr. Mackenzie:** I think it is overdue. Yes, I completely agree.

**Mrs. Newallo-Hosein:** Chair, just to ask—

**Mr. Chairman:** A follow-up, before we move on to Sen. Lewis.

**Mrs. Newallo-Hosein:** A follow-up, yes. Because Dr. Mackenzie is stating that—looking at gathering information, but I saw that Chairman Green had indicated in her submission that AWN had gathered information on the approach and methodology used by other countries. Perhaps you can indicate to the Committee what are the other jurisdictions and approaches that were examined with reference to regulations in the use of fireworks.

**Ms. Green:** Thank you, Mrs. Newallo-Hosein. Yes, we have been looking into this because we fully support what Dr. Mackenzie said on behalf of the Veterinarian Association. This country, unfortunately, does not have up-to-date legislation in line with that available in metropolitan countries, and we, as an organization, have been looking into it. We have the support of the TTSPCA and other organizations who all feel that the law should be updated. If I may, I would like my colleague, Mrs. Kuruvilla, to speak a little more on this, if you would permit that, because

she has looked, and she has been working on that for our committee. Thank you, Chair.

**Mr. Chairman:** Please do, Ms. Kuruvilla.

**Ms. Kuruvilla:** Thank you, Chair. I just would like to make one preliminary point. Animal Welfare Network and a lot of the NGOs tend to deal with animals that are either unwanted or people do not care enough about them to take them to a vet clinic. So the situations that we often deal with are far worse and more tragic. There is a large spike in animal ownership and I think the Vets will see a lot of people who really take good care of their animals and take them to the vets, and so on. We see lots of cases of animals that live in a state of neglect in the country. You know, people often want dogs and so on, for protection, and there is limited care given to these animals. So in the event of situations like fireworks where you do not even have a basic level of responsible ownership, there are tragic consequences, and we have seen it a lot in the animal shelters. In fact, we end up taking on the burden of cost for caring for a lot of these animals that end up missing and lost, and so on and never reclaimed. So I think that the situation is really very bad and over the last 10 years or so we have taken on the burden of cost for caring for a lot of these animals that have been lost or injured during fireworks.

We have looked at some of the recommendations like from the RSPCA, one of the bodies that is widely recognized for its standards in animal welfare, and if you look at the recommendations with regard, let us say to the UK, they have already limited fireworks use to just specific holiday periods—well, not periods, actual days. So in the UK the legislation may allow for fireworks only on certain traditional holidays. They have a decibel level that is currently specified in the UK legislation of 120 decibels, which is apparently equivalent to a jet aircraft taking off.

The RSPCA has recommended a reduction in the decibel levels for fireworks and also a lot more control of the use of the fireworks at these special events, including proper prior notification to communities, a pretty stringent time limit during which fireworks can be set off. And all of these controls allow people to make provisions for their animals for a specific period of time.

**Mr. Chairman:** Thank you very much. And before I move on to Sen. Lewis, a follow-up question to you, Ms. Kuruvilla. Do you think, then, that one of the policy recommendations we can make is that there be restrictions, according to the vet Association as well—there are restrictions on the time during which the fireworks are exploded so that pet owners will be given adequate warning

to take the types of action which may be necessary to minimize any injury to their pets?

**Ms. Kuruvilla:** Certainly, we would like to see restrictions on the time period. We would also really like to see a move away from just the general sale of fireworks to the public. Because, I mean, we just do not think it is realistic to expect the public to exercise the relevant controls.

**Mr. Chairman:** Thank you very much. Sen. Ayana Lewis.

**Miss Lewis:** Thank you. My question is directed to EMA. Based on your response I saw that when we asked how many complaints has the authority received concerning noise and chemicals emitted from fireworks, and within three years, between 2014 to 2017 I notice only five persons complained. Do you think that the public is aware of the process of lodging a complaint with EMA? Because, I think based on the feedback we are getting here today that five persons complaining is not really reflective of what is happening in the country. So can you take us through the process in which someone could lodge a complaint through EMA?

**Ms. Badri Maharaj:** We have a hotline set up for lodging complaints at the EMA. There is an Emergency Response and Investigations Unit. We do receive complaints. Five complaints—these are the ones we have formally recorded. Now, the ERI unit was established three years ago. So what I can tell you is, these are the formal records that we have received from the ERI unit. You can call the hotline. The number is on the website. We receive the complaint. If we can attend to the complaint immediately we send out our officers. If it is something, we have an EPU, an Environmental Police Unit. There are four shifts.

Now, with respect to noise, what happens is—you know, the impact of noise and fireworks, for example, it is only through the variation process that we are alerted to an event where fireworks might be utilized. So we would not know in advance when, for example, fireworks would be utilized during an event. We are going through the process of the—

So once we receive the complaint, we can investigate and sometimes our EPU, we can stop an event if you are in breach of the noise rules, or if, for example, you find that there is a breach of the Summary Offences Act, because the EPU are staffed by SRPs—special reserve officers—who also have police powers to stop events.

**Miss Lewis:** All right. Just one question. What constitutes a formal complaint? You said five persons were formal complaints.

**Ms. Badri Maharaj:** A formal complaint would have been one where you would have provided your name, location, address, et cetera.

**Mr. Chairman:** Thank you. And to follow up, Sen. Ayana Lewis made a very valuable point, and I would just like to follow up with respect to—and also following up on Minister Sinanan’s position with respect to policing. The EMA has a police unit, you said made up of SRPs, and I was just wondering whether, as part of your future planning—planning for the future, as MP Esmond Forde said—that it is the EMA police force which should then be responsible, if it is expanded and well-trained, to have as part of its responsibility the enforcement of section 79 under the Cruelty to Animals Act. You see, I raise that because since the Veterinary Association has said that the noise that animals are subjected to constitutes cruel and unusual punishment, maybe even torture, that I would like to get your views on expanding the EMA police force so that they would then be responsible for enforcing sections 78 and 79 of the Summary Offences Act.

**Ms. Badri Maharaj:** Chairman, the current resources we have at the EMA, the police unit, it is not a huge number of police officers. We had requested a larger number, but I think because of, you know, budgetary constraints et cetera, we were not able to expand that unit. With respect to the noise rules, we would have to amend the noise rules to include— currently, the term “fireworks” is nowhere in the Noise Pollution Control Rules. So there is a big gap in the legislation, and the discussion at this Committee level, we are not unwilling to assist with respect to fireworks. Where we do have applications for fireworks, the variation process is a very good process but it is only where somebody applies for a variation—we can refuse a variation. We can tell you, you are not to have fireworks. And we have done this in the past, where we were alerted to fireworks display at an event. This was somewhere in San Fernando. Our Environmental Police Unit, they had gone out and the person had not applied for a variation and we had stopped that fireworks display from happening at all.

**Mr. Chairman:** Right. And therefore, if I were to get you correctly, there are some problems with the legislation which could be tightened to give you powers, unequivocally, to deal with fireworks and that once drafted, the Parliament simply has to approve those rules. Is that the case?

**Ms. Badri Maharaj:** That can indeed happen, Chairman, but I think the AG’s office would also need to get involved because we do have stronger, more powerful legislation like the Summary Offences Act and the Explosives Act.

**Mr. Chairman:** But we really would like to get the EMA more involved. You see, the Environmental Management Authority is an authority that is charged with ensuring that there is sustainable development in Trinidad and Tobago, and now we are realizing there is a law against

cruelty to animals as opposed to cruelty to people. There is a law. There is a punishment, two months of jail. Not many people were aware of this before. But the EMA is responsible with respect to noise pollution, and insofar as noise pollution is causing a tremendous amount of harm to the pet population, I think it is now critical that we not lean on other legislations but to empower the EMA to take action on this environmental pollution. Do you agree or do you not agree?

**Ms. Badri Maharaj:** Indeed, Chairman, I cannot say that I disagree with that. Our noise rules, if I may say, it is the most modern piece of legislation, and whereas the other pieces of legislation may fall behind, we are willing, once we do get to the point where we have the research and the information.

**Mr. Chairman:** Okay. Minister, a follow-up.

**Mr. Sinanan:** I just want to clarify, because I am hearing the EMA talking about legislation to include fireworks and so. Is it not that the EMA deals with noise pollution no matter what the source or wherever that sound comes from? Is it not that the EMA deals with noise pollution; part of their remit is noise pollution?

**Ms. Badri Maharaj:** It is static noise, not mobile sources. The legislation does not allow us to deal with mobile sources of sound.

**Mr. Sinanan:** Okay. If someone takes a music system, puts it into a location and starts to, as we say, blast the music loud, EMA cannot deal with that?

**Ms. Badri Maharaj:** Yes, we do deal with bars, for example, who emit—

**Mr. Sinanan:** So what is the difference with somebody taking a heap of fireworks, putting it somewhere and then igniting it and sending out a loud sound?

**Ms. Badri Maharaj:** There is a difficulty there. We would not be present. How do you measure? The way we enforce our legislation is through measurement. So you would need to be alerted to the fact—

**Mr. Sinanan:** But could not the EMA, when someone applies for a licence to bring in fireworks—could not the EMA then liaise with the Ministry or the authority that approves that licence to say, look—because you can measure the noise emittance from the size of a canister of fireworks, because of the amount of gunpowder or whatever is in there. And could not the EMA say, “We are not going to allow this level to enter the country”, and that way you could control the level of the noise from the fireworks that is entering the country? Could not the EMA then, be proactive and say, “Look”—you take some of the fireworks; you go out and you get the noise level and say,

“We are not going to allow this size of fireworks, this size of fireworks and this size of fireworks into the country.” So that will give you less policing going forward. Because it is like—okay, like a bullet. You have different calibres. You have a 382, a 9 mm, and the sound that they emit is different, depending on the size of the ammunition. It is the same thing with fireworks. The bigger the canister the louder the noise.

**Ms. Badri Maharaj:** We would be willing to assist in that regard.

**Mr. Sinanan:** You see, because noise pollution, the EMA has to be proactive. You cannot just sit and wait until you get a—because nobody is going to complain on their neighbour. I have a neighbour, or probably if I do it my neighbour would love to complain on me, but he feels by tomorrow, if he has to give his name and his address and everything, somebody in the EMA will know, “Ay, is your neighbour report yuh.” So we tend to just accept that and just hope that everything will just pass. The EMA knows fully well that, look, in this residential area, on so and so night, the festive season, everybody is sending up fireworks, and is outside the level that is acceptable.

**Mr. Chairman:** Okay. And could I intervene here. Is there anything in the EMA Act which prevents you to do what Minister Sinanan says you ought to be doing, that is, at source, indicating that these items should not be used within Trinidad and Tobago for X, Y, Z reasons? Is there anything in the EMA Act which prevents you from doing that?

**Ms. Badri Maharaj:** Chairman, could you clarify?

**Mr. Chairman:** Yeah, okay. Minister Sinanan said that you could, at the point of the importation of the fireworks, have undertaken a study to indicate that, okay, we need a sample of what is imported. We have already done the research. We know that this particular size will have a decibel level which is injurious to health in general and that we are therefore recommending to the Customs, to the Fire Service, to the Ministry of National Security, that because of injury to the environment, we will recommend that no licence be given to import this particular device. Is there anything in the EMA Act which prevents you from doing that?

**Ms. Badri Maharaj:** It prevents us from taking enforcement action.

**Mr. Chairman:** Well, from making a recommendation to the Ministry of National Security that “based upon our research—scientific research—what you are importing is injurious to health and welfare of the population of Trinidad and Tobago, and therefore we recommended that they not be imported within the Republic.”

**Ms. Badri Maharaj:** Chairman, there is nothing preventing us from making such recommendations. We would obviously have to do the research to say, you know, this is injurious to public health; this is injurious to animals, et cetera.

**Mr. Chairman:** Okay, very well. A follow-up. And I imagine you have technical officers with you from the EMA?

**Ms. Badri Maharaj:** We do.

**Mr. Chairman:** Chemists and so on. Right. I will mention a few chemicals and I need to get from the technical officers whether these chemicals can cause harm or whether they are benign: Arsenic; manganese; Sodium Oxalate; Aluminium; Iron Dust Powder; Potassium Perchlorate, Strontium Nitrate, Barium Nitrate; Oxidizers. Are these chemicals injurious to human health?

**Ms. Badri Maharaj:** I am going to pass that question to Mr. Rajkumar, Technical Services Manager.

**Mr. Chairman:** Thank you.

**Mr. Rajkumar:** Thank you, Chairman, for the question. In preparation for this meeting we did some preliminary research and some of those same chemicals that are mentioned are listed as toxic chemicals. So as we said, anything can be toxic. It just has to be in the right amounts. But certainly, these chemicals that are mentioned, some of them are toxic and can be potential carcinogens, et cetera. So these chemicals, which are released during the fallout from fireworks, has the potential to contaminate surface waters, contaminate the air quality and impact on human health and the environment.

**Mr. Chairman:** Thank you very much, because I note in the EMA Act itself, there is a definition under “release”:

“‘release’ includes any disposing, spilling, emitting, leaking, or other incidence of discharge into the environment of any hazardous substance or pollutant;”

So, clearly, the discharge of fireworks “releases”. It falls within your remit to test the air quality now. Not only the sound, but to test the air quality of the air post a fireworks display or discharge. Is it that the EMA will now test air quality? I can tell you, as a layperson, the air quality is seriously affected on Old Year’s night, at least in my neighbourhood, because the clouds are dark; it is smoky and I know there are things there. I would just like to know whether the EMA is going to test air quality to advise the population that the inhaling of the air is going to be possibly injurious and therefore such an environment may not be healthy for you to be in, post an hour display of

fireworks. Has it ever been done or are you contemplating doing it? [*Interruption*] And that is for the future, as MP Esmond Forde said.

**11.40 a.m.**

So first for animals and sound and abuse, and now we are looking at air quality because the chemicals, as I indicated, came from the research that we did with respect to the various types of chemicals which are released during a discharging of fireworks. Now as your officer said, it is based upon amounts, but in a neighbourhood where everyone is discharging this you could be sure a certain minimum threshold may be crossed and I would like to know if this is going to be part of the work programme of the EMA in the future and when?

**Ms. Badri Maharaj:** Chairman, this has not been done before, but what I can say is we do have equipment. We have purchased some equipment to test air quality. So at this stage, again, I can take it back to our Board and incorporate these issues into our work plan.

**Mr. Chairman:** Okay. And from the perspective of your technical officer who addressed us just now, those chemicals of which you are very well aware, if in fact infants, the elderly, anyone, including the pets are exposed to them, what can be the long-term effects? Is it that it can have effects similar to secondary cigarette smoke; or is it that we will be able from the research that you have done to neutralize them over time within our systems? Your technical officer.

**Mr. Rajkumar:** Thank you again, Chair, for the question. So again, based on available information, I guess similar sources where you have looked, there is an abundance of information and data in the public domain that you could come to the conclusion that at the end of a firework event, especially in neighbourhoods where the air quality is compromised, there are chemicals in the air that have the potential to cause harm to human health. From a local perspective, from a Trinidad and Tobago perspective, yes, you can do your own research to complement those findings.

The important thing for us moving forward is to ensure that the chemicals that are in those fireworks, to ensure that there is a redesign of the fireworks so that you do not have the negative chemical fallout when it is released. So moving in the direction of a redesign or design for the environment in terms of the kinds of fireworks we use in the future and more environment friendly ones would be the more futuristic and more forward-thinking approach in terms of managing the issue with chemicals in fireworks.

**Mr. Chairman:** Thank you very much. You did not answer the question I posed though, and the

question I posed was a straightforward one and that is: The chemicals which I mentioned in certain quantities, given a fireworks display, do you think that subjecting oneself to these chemicals can cause long-term harm; or is it that you need to do the research in Trinidad and Tobago to make a definitive statement on that?

**Mr. Rajkumar:** Well, I think the jury is already out on that. What I was saying in terms of getting that data for the local context in terms of the levels we will have to do that, but one can say with some level of confidence that those chemicals that are released, those same chemicals as you mentioned, will and can have a negative impact whether it be acute or a chronic effect on human health.

**Mr. Chairman:** Very well. Thank you very much. Mrs. Newallo-Hosein.

**Mrs. Newallo-Hosein:** Just a follow-up on that question—thank you, Chair—Mr. Rajkumar, and that is all the chemicals that were identified are in fact injurious to health, human or animals regardless, but I want to ask: is there a quantity that would impact in an adverse way? The reason why I am asking that because, I mean, to be healthy and to have cleanliness we use toothpaste, but toothpaste also has a chemical that is injurious to health and, as such, there are clear guidelines on it that it must not be swallowed and you must only use this amount. And so, I am asking the same in terms of these chemicals which, yes, we know, are injurious, but is there a quantity that can be maintained that will not cause the harm that would normally cause death or something like that? Is there a quantity that can be released in the atmosphere that will not be injurious at all?

**Mr. Chairman:** Yes, you may respond Technical Officer, Mr. Rajkumar.

**Mr. Rajkumar:** Thank you, Chair, and thank you member for the question. Yes, there are established threshold levels for these various chemicals released into the atmosphere, above which you would likely to expect negative impact on human health. So you first have to identify what those thresholds are and then you have to then do your research and the monitoring to establish what those levels are when they are released in the particular areas, and then compare the two to see whether or not the levels at the localized area is above those threshold values. If it is below, it may indicate more long term exposure. There are threshold levels but you will have to compare it with the local situation, the local values at that particular location to see if those thresholds have been exceeded

**Mr. Chairman:** Thank you very much. May I ask MP Antoine and then you will come in MP Forde.

**Brig. Gen. Antoine:** I just want to follow-up on part of the discussion earlier, and it is to Dr. Mackenzie from the Veterinary Association in the absence of people from the other areas of the medical profession. We have established that the noise pollution by fireworks is virtually a case of cruelty to animals, but animals are not just pets. We are now seeing animals that are working alongside humans in terms of seeing-eye dogs, in terms of comfort animals for people with different types of disabilities as the case may be. Do you have instances where the effect on the pet or the animal who works with a human has had a bad effect on the human themselves in that it has become now cruelty to humans as well as cruelty to pets?

**Dr. Mackenzie:** Thank you for the question. Personally, I do not know of any incidence where a companion animal was used, for example, seeing-eye dog, or comfort animal for an ill person, has been subjected to something of this nature where it then affects the human as well, but I would imagine that those dogs are similarly affected as others. The dogs that tend to be used for companion use with seeing-eye dog, for example, are very highly trained as well, and you could train a dog to be desensitized to things like gunshots for example. So in a police canine service, they have desensitized their dogs to these noises, but it takes years and it takes a lot of work and obviously that does not pertain to the entire pet population. It is just not feasible. But to answer your question directly, I do not know of any—the service that you speak of is becoming more popular in Trinidad obviously.

I would imagine that those animals are similarly affected by things of this nature, and the spinoff on the human will be very similar because if your dog cannot work in that capacity which it was put there to do, then you have the effect on the human. I think that answers your question.

**Mr. Chairman:** Thank you. MP Forde.

**Mr. Forde:** Yes, also to the Veterinary Association. Now, as a result of the noise pollution from the fireworks it affects the animal. The instances of death are mainly related to the incidents related, or is it that exactly that death can occur as a result of the noise alone?

**Dr. Mackenzie:** Good question, and both actually. We have a number of cases where dogs have, we would not say mysteriously died, but the owner would call and say that their animal is in distress. If you have an animal that gets so anxious and in a state of panic, basically they can die from many different reasons—seizures, heart failure—especially if they are older animals, or if they have underlying medical conditions—very similar to the way it would affect people. If certain people have anxiety disorders, for example, we would not go setting off fireworks in an elderly

home or in a nursery with babies.

Remember, it is fundamental to note that animals have a very keen sense of hearing and the way they are affected by noises such as fireworks is very, very different to people. So their state of panic, anxiety, the harm that it does to them, not only sentry in terms of their hearing and so on, but the way their body functions is radical and it is very different to humans.

So we have had numerous deaths reported from just on the night of firework displays. In the neighbourhoods, for example, we get calls on the emergency service, at my practice, in particular, and I am sure many others. We also get calls the very next day that dogs and cats have passed away as a result. Otherwise healthy in the owners opinion, but on the night of fireworks they are in a corner, they are shaking and they end up passing away, and then certainly from injuries related to the escape as I said before.

**Mr. Forde:** One other question.

**Mr. Chairman:** Okay, but could I follow-up before you? Could we ask, through you, members of your association to start compiling data so that across Trinidad and Tobago we will get from all members of the vet association the reported injuries and cases that they have seen in their own practice so that you will be able to have a database in Trinidad and Tobago which will then inform policy?

**Dr. Mackenzie:** Yes. Thank you for that suggestion. We implemented this late last year. We do not have actual figures as yet. There are about 300 registered veterinarians in Trinidad; just over 40 practising clinics. Gathering the data is a challenge, but it is on the way and our Executive has put that out there that we want to know numbers and documented cases, photographs, as much evidence that we could get as it relates to firework related injuries.

**Mr. Forde:** Actually that was one of the follow-up questions.

**Mr. Chairman:** Sorry, I stole your follow-up.

**Mr. Forde:** No problem. Once we get it for the records. But the other point is: are you all able to identify the decibel level that can affect the animals?

**Dr. Mackenzie:** There is a lot of research that has been done in dogs, in particular, as to what level and beyond, irritates an animal, or causes harm to an animal. Yes, that is very well documented. There are numerous papers, even books on it.

**Mr. Forde:** Mr. Chairman, I think—and I am following up from there—again the vet association, and also the animals network, in terms of compiling their information and forwarding it to the

relevant authorities like the EMA, the Ministry of Agriculture, Land and Fisheries, the Ministry of Health, in terms of statistics. So again, that can cause them now to have their evidence in order to form policies and procedures as we go forward.

**Mr. Chairman:** Before Sen. Lewis, a question to the EMA and that is: have you had any liaison interaction with the Animal Welfare Network, and Veterinary Association, and the Ministry of Agriculture, Land and Fisheries on this problem or is it the first time that as a group you are meeting these bodies?

**Ms. Badri Maharaj:** This is the first time I am in fact meeting these bodies. I can say that in my capacity as the GM, Legal, Enforcement and Compliance.

**Mr. Chairman:** Very well. Thank you very much. Ms. Lewis?

**Ms. Lewis:** Actually, Chair, that was part of my question.

**Mr. Chairman:** Again, I apologize.

**Ms. Lewis:** So based on what the Chairman would have stated, I want to find out if you guys would collaborate and educate in the sense that a lot of young persons they do interact with the explosives, the fireworks and stuff? Would there be a collaboration? Would you consider collaboration in terms of everyone represented here to educate the population especially the young persons in every aspect that you represent today, like how it affects animals, the noise pollution and all of that; and did the Ministry of Agriculture, Land and Fisheries represented here, to at least look back at what your mandate is in terms of dealing with noise pollution or animal cruelty and all that stuff? So, I just want to ask: Would you consider collaboration going forward from today?

**Mr. Chairman:** Excellent question, yes. It is surprising that you have not collaborated before.

**Ms. Lewis:** Collaboration and education.

**Mr. Chairman:** And collaboration can simply take the form of email now you know.

**Ms. Badri Maharaj:** I would like to say, Ms. Lewis, that is a very good idea. One of the mandates of the EMA is to coordinate and we have a coordinating committee. So I would take on board that suggestion and we would move very quickly with incorporating that in our work plans.

**Mr. Chairman:** Thank you very much, and again—

**Ms. Lewis:** I want to get feedback from the Animal Welfare Network.

**Mr. Chairman:** All right.

**Ms. Green:** Thank you, Chairman. We would be very happy to collaborate with the EMA and the other associations because we have over the last 15 years made it our business to try and

educate people—I would not say the proper use of fireworks—but what to do to protect their pets when fireworks are being let off, what to do if they get lost, what to do if they find somebody else’s pet. Education of the public is being our main theme on this. So we would be happy to join in.

**Mr. Chairman:** Thank you very much. Before I come to the Ministry of Agriculture, Land and Fisheries because I want to pose this question now to the EMA and the Ministry of Agriculture, Land and Fisheries and that is, that the EMA Act is very clear with respect to providing advice and to sensitize the population including state agencies on all matters pertaining to the environment and protecting the environment. The Act is very clear on that and I would like to get from the representative, Ms. Badri Maharaj of the EMA and from the Permanent Secretary of the Ministry of Agriculture, Land and Fisheries, whether you now see a role for the EMA to examine the adverse effects in all its dimensions of all the explosives devices, whether we call them fireworks, scratch bombs or not, they are explosive devices? And after the proper research, will then communicate with the Ministry of Agriculture, Land and Fisheries, which in my mind has the responsibility to enforce the law against cruelty to animals so that when the time comes for the granting of a license to import fireworks by the Ministry of National Security—that is the Ministry which grants licenses—you would have collaborated between EMA and the Ministry of Agriculture, Land and Fisheries to indicate to the Permanent Secretary, Minister in the Ministry of National Security, that these devices from the agencies that you control and the law under which you operate are really devices which should not be imported. Do you see a merit now in influencing the licensing process given your advisory capacity EMA, and given Ministry of Agriculture, Land and Fisheries your responsibility for the welfare of animals. Both responses.

**Ms. Badri Maharaj:** Chairman, I would not disagree with your recommendation. Indeed, we have always been willing to take advice. I think the problem always arises with coordination and I do wish that the approach that we have taken here is something that we can apply with respect to legislation as a whole, because what we are getting here is information that is critical to also amending and updating legislation.

Indeed, the EMA is always willing to help. In terms of initiating the collaboration, I think the EMA can indeed take the initiative and we can assist from the source which you say is the Ministry of Trade and Industry. We are willing to assist—

**Mr. Chairman:** It is the Ministry of National Security.

**Ms. Badri Maharaj:** The Ministry of National Security, sorry—wherever that requirement is, where we are needed.

**Mr. Chairman:** And therefore, we take it that there is going to be from your angle in the EMA and from the Ministry of Agriculture, Land and Fisheries, a review of the existing legislation governing the EMA so that the Attorney General's Office will be so guided when it comes to amending whatever noise pollution Rules you may need amending to ensure that you have a greater effectiveness in discharging your functions.

**Ms. Badri Maharaj:** As I have mentioned already, Chairman, we are looking at amending the noise pollution Rules. We will make these recommendations. We do forward it to the Attorney General's Office for promulgation. So we will take that forward.

**Mr. Chairman:** Yes, thank you. And a response from the Ministry of Agriculture, Land and Fisheries, since Ministry of Agriculture, Land and Fisheries I know that you do have to liaise with the Veterinary Associations. The Summary Offences Act is very clear that the welfare of animals is an act in Trinidad and Tobago. We may not have been enforcing it in the past, but do we get the commitment from the Ministry of Agriculture, Land and Fisheries that with closer collaboration with the Veterinary Association, the Animal Welfare Network Work, and the EMA, you will be able to do a bit more to enforce the law with respect to cruelty to animals?

**Mr. Mc Kellar:** Thank you, Chair. I think you just reiterated a point that you made earlier during the discussion as it pertains to the remit of the Ministry under the Summary Offences Act, as it relates to cruelty to animals. Certainly and you had asked initially that the Ministry submit its written comments?

**Mr. Chairman:** Yes.

**Mr. Mc Kellar:** Vis-à-vis, its role in enforcing the Act and that we shall be, will definitely take a look at it and make the submission. But again, based on all the comments that we have heard this morning, particularly from the Veterinary Association and the number of reports it has received from citizens, and across its members regarding the injuries to animals and the ill effects, I might want to add that in the Ministry's submission to the Committee we did note that when we conducted our own internal investigations, we had not received any reports from what I would consider our primary stakeholders—farmers, livestock owners, even citizens—reports of the ill effects or any effects of fireworks on animals. But I have heard that those comments may have been going elsewhere and there is certainly a responsibility to the Ministry to consult more widely

and that we shall.

**Mr. Chairman:** Thank you very much. It is 12.02 p.m., one final question from the Chair, then I will ask Committee members. But one final question from the Chair and I want to get the responses from the witnesses, and again I want to quote from the Summary Offences Act, section 100. It has nothing to do with the Ministry of Agriculture, Land and Fisheries at this time. This is section 100 and it refers to a position raised by Dr. Mackenzie from the vet association prior. It says:

“Any person who throws, casts, sets fire to, or lets off any fireworks into, in, or upon any street not being in any town, or into, in, or upon any place being within sixty feet of the centre of any such street, is liable to a fine of four hundred dollars...”

What I want to pose to the Veterinary Association, to the Animals Welfare Network is this—first to the veterinary specialist—since it was indicated that the firework display at the Queen’s Park Savannah is not as injurious as a device that is exploded in a neighbour’s property for a pet, do you think that if this 60 feet distance were to be increased to say 120 feet, so many homes which are the standard of 5,000 square feet will not be allowed to explode the devices will go some way towards ensuring that fireworks are exploded closer to public places like recreation grounds as opposed to residences? A simple amending of this law from the 60 feet—which is in the Summary Offences Act—to 120 feet will then solve a lot of the problems with respect to the proximity of this noise to animals. Vet association, then EMA.

**Dr. Mackenzie:** Thank you, Chair. I think the distance criteria where that law was originally formulated had to do with the actual physical injury to the animals. So if you observe 60 feet, 120 feet, or 5,000 square feet, the noise of a firework exposure on directly above my house, or above the neighbour’s house is going to be the same trauma to the animal. In my opinion, from a veterinary standpoint, a medical standpoint, I think just like we could mirror laws in the US, in the UK, fireworks, there is no ideal solution to please everyone, but we have to get somewhere and we have to go somewhere. I think fireworks should not be allowed to be deployed in residential neighbourhoods.

**Mr. Chairman:** Excellent.

**Dr. Mackenzie:** This is my answer.

**Mr. Chairman:** Yes.

**Dr. Mackenzie:** Thank you.

**Mr. Chairman:** The EMA, do you have a position on that 60 feet because you see looking at the law there are something call low-hanging fruit. If in fact the majority of homes are 60 feet by 100, that makes a 5,000 square feet, and you are not permitted to explode any device within 120 feet of a road, it means de facto. In the standard lot size we have in Trinidad and Tobago no residents shall be able to explode one of these devices, do you think such a simple change of the law from 60 to 110/120 feet will perhaps minimize the damage by may be 75 per cent?

**Ms. Badri Maharaj:** Chairman, I can speak as a lawyer. That is my profession. Perhaps if you do increase the distance, it may alleviate to some extent the damage, the injury, the impact, but I think we should also be looking at the fine as well and this is something that needs to be done. I am going to concur with Dr. Mackenzie and perhaps agree that fireworks in residential areas should perhaps not happen at all.

**Mr. Chairman:** Before we go into the animal welfare we need to engage the EMA again for advisory, because according to the Explosives Act, it says that there are certain towns in which fireworks will not be permitted but the Minister may decree any area a town in addition to the three major towns—I think Port of Spain, San Fernando and Arima—do you think the EMA can then indicate to the Minister of National Security that residential areas can be decreed as towns since it is within the Ministry's power to decree any area in Trinidad and Tobago in addition to the three aforementioned areas as towns?

So that in addition to the fine, the 120 feet distance, you can then advise the Minister that there are certain areas which should now be decree towns because you have a de facto advisory role. Do you not think that you need to be looking at all the residential areas and decreeing the towns as well; and recommending that the Minister look at them as towns?

**Ms. Badri Maharaj:** Chairman, indeed we can advise. The Ministry of Planning and Development as well—I think the Ministry of Planning and Development would need to be brought into this discussion because when it comes to zoning and declaration of these areas, the Ministry of Planning and Development would be the primary entity responsible for that kind of thing.

**Mr. Chairman:** Yes, very well.

**Ms. Badri Maharaj:** I am glad that you did bring up the Explosives Act because I think this is where we start with regulating the fireworks at source and this is very important. You know we speak to the Explosives Act, we talk about the Summary Offences Act. These are primary pieces

of legislation. The noise pollution Rules is subsidiary legislation, so we do not have the strength at the EMA. These other Acts are more forceful and more effective. So we would be willing to lend assistance to any amendments that would occur in the near future with respect to these pieces of legislation.

**Mr. Chairman:** Thank you very much. Do you have a question? Yes, Animal Welfare Network.

**Ms. Green:** Thank you, Chairman. We concur thoroughly with the remarks made on behalf of the EMA and the Veterinary Association because we have spent a long time looking at this very piece of legislation, section 100 in particular, the Summary Offences Act. Obviously, I have to say I do not think a change from 60 feet to 120, given the strength of modern fireworks, will make a big difference.

A change in the fines might also be more useful because these fines, quite frankly, ludicrous, when you consider that a very small box of fireworks does I understand cost at least \$400, and we read in the media, or hear in the media I should say, of people spending many thousands of dollars on fireworks to celebrate New Year's, even birthday parties, weddings and so on. So \$400 is pocket change for the youngest child, I should think, you know. So, we do need to upgrade this law and I think that would be most effective. What I would also like to mention, because we understand would take time, is that we would like clarity from the police on their take on how these sections should be applied because that is what we have to work with until the law is changed.

**12.10 p.m.**

**Mr. Chairman:** Very well. But just one clarification. If your house is 100 feet away from the road and that is—the end of your property is 100 feet away from the road, and the law says you cannot discharge your fireworks unless you are 120 feet away from the road, do you not think that will prevent, de facto, a lot of people being able to even initiate an explosion of any devices?

**Ms. Green:** Thank you, Chairman. I think it might discourage, but knowing people's total respect for the law, probably discourage is the strongest word I could use in that context.

**Mr. Chairman:** Okay. So we have a distance and a fine. [*Crosstalk*]

**Ms. Green:** It is a very good idea.

**Mr. Forde:** They have to feel it in "dey pocket".

**Mr. Chairman:** Yes. A distance and a fine. Yes. MP Forde.

**Mr. Forde:** To the Veterinary Association. There are soundless fireworks, silent. Again, it is in

my mind so I need to ask the question: will it affect or create any difference with regard to the animals? Is it definitely on the sound or is there anything to do with the imagery of the fireworks?

**Dr. Mackenzie:** Thank you. It is a good question, and the main effect of the firework is the sound, is the decibel level because the dog's sense of hearing is so acute. There is some effect from the light, but minimal compared to the sound. So they have also proven that deaf dogs, for example, are not nearly as badly affected and most of these dogs, if they are indoors on the night of fireworks, for example, New Year's Eve and they are not seeing the explosion, but hearing it, are similarly affected. But a dog that has impaired hearing or is deaf, which we can test and prove, can be outside in a yard, for example, and not have nearly as severe of an affect and as based solely on noise. Yes.

**Mr. Forde:** One other question to the EMA.

**Mr. Chairman:** Okay. Last question.

**Mr. Forde:** Last question. In terms of noise variations, how many applications you all have received over a period of time? Applications.

**Ms. Badri Maharaj:** That information I do not have with me at this moment.

**Mr. Forde:** Okay.

**Ms. Badri Maharaj:** But we can send it to you.

**Mr. Forde:** So, Mr. Chairman, it could be provided to the Secretariat—

**Mr. Chairman:** Please, provide that in writing.

**Mr. Forde:**—in terms of the noise variations associated with fireworks.

**Ms. Badri Maharaj:** Can you tell me over what period?

**Mr. Chairman:** Five-year period.

**Mr. Forde:** Five-year period. Yeah. Thank you, Mr. Chairman.

**Mr. Chairman:** Thank you very much. And before I ask the representatives of the various organizations—do you have a question?—to give us brief closing remarks, let me just summarize what, so far, we have determined during today's hearing.

First, it has been determined that it is against the law of Trinidad and Tobago, 78 and 79 sections of the Summary Offences Act 11:02, to initiate any action which will cause injury or deemed to be cruel to animals, and the punishment is a paltry fine of \$400, but a large prison term of two months. So that I think the population should now be well aware that there is a law in Trinidad and Tobago. It is not as if our legislators in the past did not see this as an important

problem.

Second, it is now determined that we need to identify the decibel levels of the fireworks displays and the various types of fireworks and scratch bombs and any explosive devices in Trinidad. We do not now have that information, we need for the EMA to undertake the scientific study to advise on that. We need to know what the pollutants are; what are the quantities released in a neighbourhood by a number of individuals discharging at the same time; and what are the potential implications for respiratory problems and other problems for the health and welfare of people. We need to look clearly into the regulation as the Veterinary Association has indicated, the Animal Welfare Network has indicated; the regulation of the use so that pet owners can be given advanced notice on when these devices are going to be exploded so that they can take the necessary precautions.

And we have determined that the EMA as an advisory body can liaise with the Ministry of Agriculture, Land and Fisheries, of course, taking information from the Animal Welfare Network and the Veterinary Association with respect to the granting of the licences to the importers of fireworks for what may or may not be permitted to be discharged in Trinidad and Tobago.

And I think we do need to look at the EMA having policing powers, given that the EMA has a policing arm, to work with the Ministry of Agriculture, Land and Fisheries. This is something that will have to be worked out administratively to work with the Ministry of Agriculture, Land and Fisheries so that sections 78 and 79 on “Cruelty to Animals” can, in fact, be enforced in Trinidad and Tobago. There are laws in Trinidad and Tobago, we simply seem not to have agencies of the State enforcing them. And given what I have summarized so far so that we can get some kind of bearing on what the hearing this morning, today, has in fact achieved, I would now, at 12.16 p.m., invite closing comments from our representatives and may I start with the Deputy Permanent Secretary Ministry of Agriculture, Land and Fisheries. I will ask Ms. Gayatri Badri Maharaj to come in second, Ms. Patricia Green of the Animal Welfare Network and the President of the Veterinary Association will have the last word. Thank you. Deputy Permanent Secretary.

**Mr. Mc Kellar:** Thank you, Chair. Certainly, the Ministry is pleased to have been given an opportunity to hear all of the many valuable and informative contributions today. A lot of it, as I said earlier, is news to us because we had not, you know, previously been informed of some of the extent of the ill effects to animals caused by fireworks.

Again, we have heard the Committee’s views regarding what the legislation, particularly

the Summary Offences Act, says in terms of the legality of fireworks and its impact on animals and we, again, are committed to working with our partner agencies. Thanks.

**Mr. Chairman:** Thank you very much, Deputy Permanent Secretary. Ms. Maharaj.

**Ms. Badri Maharaj:** Thank you, Chairman. Thank you for inviting the EMA to be here. I think we too have been, you know, part of this discussion, it has been very informative. We will take back all of this information to the board, to the Managing Director and we are always willing to help, to assist and especially with the amendment to all the respective pieces of legislation, we will like to be a part of that process as well. So thank you.

**Mr. Chairman:** Thank you very much, EMA. Ms. Green, Animal Welfare Network.

**Ms. Green:** Thank you, Chairman. We are very glad, very grateful that we have had the opportunity of addressing this Committee. And on behalf our own association, our own network and the other animal welfare organizations in the country, we look forward to improvement in the general application of the law as it now stands, and in future an updating of the laws on animal cruelty as it relates to the use of fireworks as well, with general animal cruelty as well. Thank you for bringing the cruelty element to bear.

**Mr. Chairman:** Thank you very much. Dr. Mackenzie.

**Dr. Mackenzie:** Thank you, Chair. May I humbly request that Dr. Thomas just have a brief word before my short closing remarks?

**Mr. Chairman:** Sure. Please. Yeah. You can just share the microphone. Yeah.

**Dr. Thomas:** Thanks, Dr. Mackenzie. Thank you, Chair. I just wanted to add in terms of the distance for fireworks to be set off. Yes, the concern is that people will release them in residential areas, maybe at their homes, but then what I have observed too is that a lot of people carry their fireworks to the parks that are near to residential areas and set it off there, and it is very loud there as well. So even though it is not at their home, residential homes that are near to those parks are still, the animals in those homes are still going to be affected. So, we really have to, I guess, do the research in terms of the appropriate distance that it needs to be away from residential homes, not for those animals and people to be affected. That is one.

Two, I agree fully and I think the Veterinary Association would be in agreement as well in terms of collaborating with the other agencies in terms of educating the public on the effects of fireworks affecting humans, as well as affecting animals. I think the place to start would be in terms of educating our youth. So, I “doh” know if we can maybe establish a programme or revisit

the schools to start educating them, because it is the young people who are really interested in these fireworks and want to set it off and the competition between who has the bigger firework and who has the smaller firework and so forth like that. So if we could educate them in terms of the effects of the fireworks not only on people but on animals, then that is where we will start to see the change. Right?

Thirdly, the animal cruelty laws. I agree completely they need to be amended, the fines need to be increased, \$400 really is not going to stop anybody from doing anything, and then we need to educate people in terms of cruelty towards animals. So not only about mistreating your animal, not feeding your animal, not caring for your animal, but the idea that you will actually want to strap an explosive device to an animal. We have to deter people from doing those things.

**Mr. Chairman:** Very well. Thank you very much, Dr. Thomas. And Dr. Mackenzie.

**Dr. Mackenzie:** Thank you—

**Mr. Chairman:** Two last words from the Veterinary Association.

**Dr. Mackenzie:**—and the entire panel. Thank you, Chair, and the entire panel for hosting this today, definitely a step in the right direction. I am going to use a quote from one of my favourite leaders of all times, Mahatma Gandhi, who said:

The moral fibre of a society can be judged on the way its people treat their animals. So in an attempt to become First World we need to modernize our laws. Pets are now certainly members of our family so much more so than say 15 years ago, and we need to move with the times. This is a step in the right direction and we are very grateful for the opportunity to present and we are very willing to help all of the other organizations as much as we can. Thank you very much.

**Mr. Chairman:** Thank you very much, Dr. Mackenzie. And may I also reiterate the point, there is a law in Trinidad and Tobago, and I appeal to the Animal Welfare Network as well to inform the citizens of Trinidad and Tobago of section 79 of the Summary Offences Act. While we are waiting to change the law and increase the fines there is a law which says:

“Any person who cruelly beats, ill-treats, starves, over-drives, overrides, overloads, abuses, tortures, or otherwise maltreats any animal is liable to a fine of four hundred dollars or to imprisonment for two months.”

There is a law. I am sure many people were not aware of this before, but there is a law and so I will invite all the agencies to inform members of the public, that exploding a firework device close

to a dog or a horse is torture to the animal and that can be subject to a two-month imprisonment. I think if we inform the population and we start enforcing the law as is, we can then look subsequently over a few months to amending the law, but really there is a law. The problem as I have found in Trinidad is that we do not enforce even the laws we currently have.

This brings us to the end of today's session. I want to thank all the representatives who have been with us this morning. It has been an informative session. It has been one that, I think, has provided important information set for us, so that when we come to compile our report and we make our recommendations to Parliament we have a number of things to say. But I think we are all in agreement that the problem which has existed with fireworks is a problem which should be solved sooner rather than later, and I thank you on behalf of all members of the Committee for the information that you have imparted to us this morning.

Have a good day, a good afternoon and thank you once again for being here. We have now adjourned. And may I ask members of the Committee to stay for a while for one minute to address an issue. Thank you.

**12.24p.m.:** *Meeting adjourned.*