

P-04-638 Emergency Services – Power of Entry – Correspondence from the Petitioner to the Committee, 04.06.15

Objective

To seek the provision of a legislative power of entry for the Ambulance Service, which would allow its employees, when acting in the lawful execution of their duty, to force entry to property for the purpose of saving life and limb.

1 – An Unusual Omission

I have raised this petition in my capacity as a retired Gwent Police Inspector and a former Police Officer with 26 years of policing experience. I believe that the overview I initially provided to the National Assembly Petitions Committee outlines the current position and the reason why I have chosen to raise the matter.

Under current legislation, the Fire Service may force entry to property under Section 44 Fire & Rescue Services Act and the Police likewise under Section 17 Police & Criminal Evidence Act. In view of the essential work carried out by *all* of the primary Emergency Services, it seems strange to have omitted the Ambulance Service from this legal power and it is my submission that legislation should be amended to include this Service too.

Most importantly, the current position potentially extends the time before medical assistance can be offered to a casualty. The Ambulance Service having to wait for Police attendance could also, in certain circumstances, amount to an injudicious use of public resources.

2 – Current Practice by Ambulance Staff

Having made enquiries with the Ambulance Service NHS Trust Headquarters (Duty Manager) a few weeks ago, I am aware that, currently, one of two things happen in such circumstances: –

!) Ambulance staff contact the Police and await their arrival, whereupon the Police force entry on their behalf. – Whilst the Emergency Services have strict response time targets for answering emergency calls, such targets are not always achieved. Furthermore, in terms of medical aid, surely there should

never be a circumstance where the critical 'Golden Hour' may be eaten into simply due to Ambulance staff having to wait for the Police to arrive and force entry?

2) The Ambulance staff take it upon themselves to force entry without any protection from such primary legislation as afforded to the Police and Fire Service. – By adopting this, understandable but questionable, approach, Ambulance staff are leaving themselves open to criticism or even potentially, civil litigation. Surely it is unfair to put them in this difficult position?

3 – Public Awareness

I have spoken to many members of the public about this matter over the last few weeks and the majority were of the misguided opinion that the Ambulance Service already had a power of entry. With this in mind, I believe that a more widespread canvassing of public opinion on this proposal by the National Assembly would find widespread support for the suggested amendment.

4 – The Deputy Minister for Health response

I appreciate the comments made by the Deputy Minister for Health, Vaughan Gething AC / AM and, in the bigger scheme of operational demands, I am not at all surprised that the matter has not previously been raised by such professional bodies. I would submit that, at the very least, the proposal is worthy of wider discussion with all of the Emergency Services lead by the National Assembly.

If there is currently no intention to consider creating a power of entry for the Ambulance Service I would also simply ask the Petitions Committee to consider the simple question; why not? Surely this is a reasonable, proportionate and relatively straight forward amendment to the current position?

5 – A lack of support for the e-petition

Although I raised the petition, I have not had the time to drive any kind of campaign for signatures and accept that the number of signatures on the e-petition is low. I would however refer back to my comments at point 3 above about public awareness in answer to this.

I also I fully accept that the occasions where the circumstance I have outlined are likely to be very few. However, this does not mean that the amendment is unworthy of consideration.

Thank you for your attention to this matter.