



<b>Policy Name:</b>	<b>AUTHORITY TO USE FORCE TO PROVIDE MEDICAL ASSISTANCE</b>		
<b>Policy #:</b>	OP 2.3	<b>Last Updated:</b>	2022-01-27
<b>Issued By:</b>	COMMUNITY POLICING BUREAU	<b>Approved By:</b>	SURREY POLICE BOARD
		<b>Review Frequency:</b>	AS REQUIRED

**RELATED POLICIES**

OP 2.1 *Use of Force*

OP 2.4 *IIO Notification*

**1. PURPOSE**

1.1. To ensure Surrey Police Service (SPS) Members are aware of their authority and limitations to use force to provide medical assistance to persons.

**2. SCOPE**

2.1. This policy applies to all SPS Members.

**3. POLICY**

3.1. Injured and / or ill persons have the right to refuse medical aid. However, s. 12 of the *Health Care (Consent) and Care Facility (Admission) Act* states a health care provider may provide health care to an adult without the adult's consent if:

- i. it is necessary to provide the health care without delay in order to preserve the adult's life, to prevent serious physical or mental harm or to alleviate severe pain;
- ii. the adult is apparently impaired by drugs or alcohol or is unconscious or semi-conscious for any reason or is, in the health care provider's opinion, otherwise incapable of giving or refusing consent;
- iii. the adult does not have a personal guardian or representative who is authorized to consent to the health care, is capable of doing so and is available; and
- iv. where practicable, a second health care provider confirms the first health care provider's opinion about the need for the health care and the incapability.

3.2. In the course of their duties, Members may find a person who is injured or ill and is refusing medical aid, or they may be requested to assist a health care professional (e.g., British Columbia Ambulance Service (BCAS) personnel) in providing medical aid to an injured or ill person. When assessing if a person can make a rational decision, Members must pay attention to the person's degree of impairment and ability to communicate, and not rely overly on the person's ability to follow commands. If a person refuses medical aid, and can make a rational decision, Members must document the refusal and where practicable, have the refusal witnessed.

#### 4. PROCEDURE

4.1. Injured and/or sick persons have the right to refuse medical aid. In the event a person appears capable of making a rational decision, and that person refuses medical aid, Members must document the refusal and include any witnesses present.

4.2. The use of force to provide medical aid must only be used as a last resort with extreme limitation and only when either:

- i. the power of arrest or apprehension exists (under the *Criminal Code*, *Mental Health Act*, etc.). Members may arrest or apprehend the person and accompany them to the hospital via British Columbia Ambulance Service (BCAS) for treatment; or
- ii. a Member reasonably believes that a person is incapable of making a rational decision about whether to accept or refuse medical treatment as a result of extreme intoxication, mental illness, or some other physical or mental condition, the Member will take reasonable steps to ensure that emergency medical aid can be administered. In this situation the person may be forcibly taken to hospital via BCAS and Members may assist hospital staff (if necessary) in restraining the person so that emergency medical aid can be administered.

4.3. Members must not assist hospital staff in restraining a patient who is refusing routine delivery of their prescribed medication, unless the patient is acting in a manner that could endanger themselves, the public, and/or Members.

4.4. Persons in police custody must have medical aid made available, however, Members are not required to force prisoners to allow treatment (subject to s. 4.2.ii above).

4.5. When a Member uses force to provide medical aid, Members must:

- i. document their reason for doing so in their notebook and a PRIME General Occurrence (GO) report, including any personal observations made to reach that decision; and
- ii. notify their Supervisor.

4.6. In all situations where a person has initially refused emergency medical aid, a Member must, if practicable, accompany the patient in the ambulance to hospital.

- 4.7. In some circumstances, a seriously ill person may rationally refuse treatment. An example would be a terminally ill patient who wishes to remain at home. In these situations, Members must not use force to transport the person to hospital.
- 4.8. When a Member has determined it necessary in the course of their duty to apply force to control a person (which results in injury to that person), medical assistance shall be offered. If the person refuses treatment and the injuries are not life threatening, the Member must document the offer of medical assistance and the refusal in their notebook and GO report (see OP 2.1 *Use of Force*; OP 2.4 *IIO Notification*).

## **APPENDIX A: DEFINITIONS**

“Member” means a sworn Police Officer appointed by the Surrey Police Board.

“PRIME” means the Police Records Information Management Environment, the provincial police records management system.

“SPS” means the Surrey Police Service.

“Supervisor” means Sergeant, Staff Sergeant, Inspector, Superintendent, Deputy Chief Constable, Chief Constable, and any other person acting in a Supervisory capacity who is accountable for a particular area or shift on behalf of the SPS.

**APPENDIX B: REFERENCES**

*Criminal Code*, R.S.C. 1985, c. C-46

*Health Care (Consent) and Care Facility (Admission) Act*, R.S.B.C. 1996, c. 181

*Mental Health Act*, R.S.B.C. 1996, c. 288