

Ruby's first day in 'Casualty': an interesting story about 999 paramedics and Cardiopulmonary Resuscitation.

There was an episode of 'Casualty' on BBC 1 on Saturday 14 July (2018), described in The Times as 'New paramedic Ruby is pushed to her limits on her first day with Iain and Sam'.

Ruby's day started badly – she was punched in the nose by a drug addict – but later on, there was a really interesting story-line involving a patient called Daisy. I am of the opinion that the story poses some fundamental questions, although two paramedics initially implied in their tweets [without having watched the programme] that as a TV show, and a drama, it probably wouldn't stand up to analysis:

https://twitter.com/NWAmb_Kieran/status/1019153042111975425

I'm sorry to say I don't watch @BBCCasualty - but I can look at this on my return from annual leave. My initial thoughts are that whilst the program is popular, it may not be representative of current best practice, as scenarios are 'dramatised' for audience (understandably so!).

<https://twitter.com/EdwardOBrian1/status/1019153859413970950>

Mike, I'm the same as Kieran I'm afraid in that I don't (can't) watch it. It's a TV drama and therefore often not representative of how things are. Probably not worth your time over analysing it I would suggest.

For a few weeks the episode of Casualty can be viewed on the BBC website, but that is only a temporary option – so I will describe the story reasonably comprehensively here [at least as it applied to Daisy, who was the patient of interest here]. First I will describe the characters, then I will describe what happened, and finally I will move on to a discussion of relevant 'legal issues'.

The Characters

There are three paramedics involved. Two are long-standing Casualty characters, Iain and Sam, and the third is Ruby – it seems to be Ruby's first day both at Holby City's ambulance station, and also as a qualified paramedic. Iain and Sam are a regular ambulance crew in the series, and in this episode they take Ruby out with them.

The patient is Daisy. We learn that Daisy ferried aircraft during the second world war, so we can deduce that Daisy must be at least 90 years old. Daisy lives alone, and I think we were told that she has no close family. Daisy also has end-stage cardiac failure, but it isn't clear how imminent Daisy's death is expected to be. As a side-issue to what I want to discuss, we learn that in essence Daisy sometimes calls out (well – quite frequently calls out) 999 crews mainly because she is lonely: Iain and Sam are happy to tolerate this [and their tolerance puzzles Ruby].

Dylan is a consultant doctor in Accident and Emergency.

The Story

The 3 paramedics first visit Daisy's home, ostensibly because Daisy has phoned in with chest pain: in fact, it soon becomes clear that Daisy 'wants a chat' and in the event the paramedics make her a cup of tea and have a chat with her before leaving. Crucial to this analysis, is what Iain says to Ruby as the paramedics approach Daisy's home:

'We know this one ... she has end-stage cardiac failure, with a DNR in place'.

Later in the day, the crew return to Daisy's home (I am not sure why – presumably Daisy called 999, but I didn't hear exactly what she is supposed to have said to the 999 call operator [if we were told what she said – I don't think we were told]).

Plot Contrivance: we have already had part of the necessary 'contrivance' for the story, in that Iain and Sam 'know Daisy 'as a person'' but Ruby doesn't – there are two other pieces of contrivance which happen at this stage. One is that Iain and Sam are entangled with a neighbour who doesn't want them to park across his drive, which allows Ruby to go to Daisy's home ahead of them: the second, is that Iain fails to stop Ruby from taking a defibrillator with her [which, frankly, 'is weird considering that Iain had already told Ruby that Daisy 'is DNR'' - however, without the defibrillator, the story couldn't hang together].

Ruby goes into Daisy's home, and finds Daisy on the floor in cardiac arrest: Ruby calls for Sam and Iain, doesn't get a response, and Ruby attempts CPR.

Sam and Iain arrive, and tell Ruby [not a direct quote here] 'STOP – she isn't for resuscitation!'. Ruby says that the guidance is that she has to attempt CPR **until she herself has seen** the DNR document – Iain and Sam frantically search the house for the document, which they find (we get a glimpse of it – red-bordered, so presumably 'a DNACPR Form' and not an Advance Decision refusing CPR: and, because it is a DNACPR Form and not an ADRT, also 'not in fact legally-binding'). When they thrust the form under Ruby's nose, she stops CPR – but by then Ruby has got a pulse. Daisy has also got at least one broken rib, which Ruby feels/hears break as she performs CPR on Daisy.

They take Daisy to the hospital A&E, where Dylan recognises her and also says [not a direct quote] '... but she has a DNR – I know because I signed it when she was here before'. Dylan asks Ruby how long Daisy had been in arrest before Ruby started CPR – of course, Ruby doesn't know: Dylan points out that Daisy has got possibly significant anoxic brain damage. Dylan also says to Ruby something like '... basically you assaulted her'.

The story ends with Daisy, who never regains consciousness, dying in the hospital with Ruby sitting at her bedside [which is probably another 'dramatic contrivance'], and with Ruby having 'realised that attempting CPR was wrong'. But – it is clear that Ruby can't reconcile 'attempting CPR was clearly wrong' with the guidance she had followed.

Analysis and Questions

Setting aside something that really annoys me – the way that 'the system' prefers non-legally-binding DNACPR Forms which are signed by a doctor, over legally-binding Advance Decisions refusing CPR which are signed by the patient – here is some analysis.

What Casualty did, is to effectively make Iain and Sam 'into pseudo-relatives' - it gave Iain and Sam the type of 'understanding of the patient as a person' which normally only the patient's close family and close friends possess. And it put Ruby in the 'typical paramedic situation of not possessing an understanding of the patient as a person'.

In brief, that amounts to:

- 1) Iain and Sam 'were making the decision about CPR in the same way that a relative would be making it' (in situations where there were relatives close to the patient);
- 2) As is logically the case for relatives, Iain and Sam could defensibly make best-interests decisions – whereas Ruby couldn't.

Put simply, the story had contrived to place Iain and Sam in the situation of the partner at the end of my BMJ rapid response, but it left Ruby in the situation of the paramedic in my question:

<http://www.bmj.com/content/356/bmj.j876/rr-7>

To Close: (hypothetical)

I have been sharing a home with my now 'dying partner' for 20 years, although my partner has only been 'dying' for about six months. I have talked to my partner a lot during this six months, and during those 20 years. The GP has talked to my partner a little, especially recently. We both talk to the district nurses who have visited a couple of times a week for the last 6 weeks – but they are often different nurses each visit.

My partner has just collapsed. I have called 999 to find out why my partner has collapsed. I am now standing over a 999 paramedic, who is doing something to my unconscious partner. Why on earth, should I accept that this paramedic decides what happens next ?

QUESTION 1 for 999 Paramedics

It is often [incorrectly] asserted that 'the senior clinician' makes the decisions. That isn't what the Mental Capacity Act states – but **if only clinicians are involved** then it is possible (see section 42 of the MCA, and then the final sentence of section 5.31 in the MCA Code of Practice) to argue that 'the senior clinician can guide the behaviour of more junior clinicians'. Note: I always point out that the consequences of section 42 are 'problematic' - it is very complex, to apply 42/C5.31/and-a-chain.

But – is there always 'a senior paramedic' within a group of paramedics?

Because – here 'the senior paramedic' would have to be either Iain or Sam: and they couldn't 'order Ruby to stop CPR'.

What does your guidance say on the point?

The other issue, is 'what the DNACPR Document' actually does. It is really complex, to analyse exactly what a document signed only by a doctor does in legal terms – so, for

purposes of simplification, I'm going to instead analyse the situation if the document being searched for by Sam and Iain was an Advance Decision refusing CPR.

If such an ADRT is valid and applicable, it legally removes the need for any MCA best-interests decision-making (MCA section 5.4).

So in the absence of the ADRT (and very loosely [legally] of a DNACPR Form) the law moves on to 'is attempted CPR in the patient's best interests?'. It **doesn't** jump directly to 'you can attempt CPR'.

That is the essential paradox in Ruby's story: she comes to understand that attempting CPR wasn't in the patient's best-interests, but 'unless you can see a valid 'DNR Document' you should attempt CPR [unless it seems very clear that CPR could never be clinically successful]' seems to be the guidance that Ruby alluded to – and that was definitely 'the guidance for 999 until very recently'.

QUESTION 2 for 999 Paramedics

So – are you telling me that the guidance has changed?

If so – please point me at the new guidance.