

Foreword

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If you have an enduring commitment to the professional delivery of emergency services, then you may well receive Michael Eburn's regular blogs commenting on court decisions, coronial findings, media reports and other issues that affect how emergency service personnel undertake their business and are subsequently considered under the law. Michael is a prolific and astute blogger and I know many both enjoy and also rely on his commentary, as I do. That is why this book *Emergency Law* is most welcome. The law as it applies to emergency services is not always at 'front of mind' for emergency service responders and it is of great value to have an up to date, consolidated reference.

A book on emergency law may be seen as 'getting in the way' of emergency responders 'doing their work'. Indeed, that is what emergency responders seek to undertake and feel most comfortable doing. Within the parameters of their training, ability and equipment, they will respond. But of course there is a further enabler and also a limitation – the law of each jurisdiction where they operate. The law has always been there, but never has it been so tested than during the delivery of emergency response today.

Our Commonwealth has many strengths but consistency across our jurisdictions is not one of them. So providing specific advice in regard to approaches and detail in each State and Territory, across all the topic areas covered in this book, adds further value. I particularly warmed to the logical approach the book has taken and for someone like myself who has no formal training in the law, the book is refreshingly easy to understand and comprehend. The most basic principles are well explained and identified.

Our parliaments as Michael Eburn discusses, have included clauses in legislation designed to limit the liability of emergency services, although the exposure of agencies and that of practitioners will continue to be tested under common law. This includes driving emergency vehicles, which is a daily task for so many emergency service responders and is well documented in the text. The book also addresses the potential for compensation for emergency service workers. *Emergency Law* will also be of considerable value to policy makers

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and ministerial staff when reviewing existing legislation because it efficiently highlights differences of one system over another through the comparisons of State and Territories legislation.

That the book also addresses other 'occasional' responders, members of the public that may assist with little or no training, is a particular strength. Recalling the large number of rescues completed after the February 2011 Christchurch earthquake by 'people on scene at the time', enjoying their lunch break and with no thought of becoming ad-hoc emergency responders, it is of further value. That said, it was the trained emergency responders in Christchurch who faced the full analysis of investigation and legal process after the event, so this book is most applicable to them.

I would recommend 'Emergency Law' to anyone who wants to understand emergency law better. For emergency service practitioners and particularly those who lead and command them, it is essential reading and well worth retaining for future reference. It will also be of considerable value for anyone feeling inclined to offer assistance during an emergency, or who has an interest in the law. I commend this book to you all.

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