Reluctance to become a Good Samaritan

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Why in news?

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An 18-year-old was caught under the rear wheel of a State transport bus in Koppal, Karnataka. He was badly injured and was crying for help. None helped till an ambulance came and took the victim to hospital and the doctors could not save him.

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Why people are reluctant to act?

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- The Law Commission of India observes that 50% of those killed in road accidents could have been saved had timely assistance been rendered to them.
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- Yet when an accident occurs, people are reluctant to help due to following reasons.
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- **Hospital procedures -** People fear that they would be made to pay admission costs in a hospital or detained there for long hours.
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- **Police Harrasment -** The consequences of involvement can’t be predicted or controlled.
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- The **police don’t always convey a sense of security** to the common citizen. The person helps is ofter subjected to the same ruthlessness that the perpetrator might deserve.
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- **Crowd mentality -** People gather to watch as there will always be more to see. Even the lone individual who wants to take the initiative also loses the instinct to do so, once the crowd gathers, since they discourage individuality.

The pressure to behave like everybody else greatly increases.
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- **Mobile phones -** The idea of taking a picture creates the satisfaction of doing something. The fact of sending a picture that spreads across the country liberates a person from the torment of not doing anything. By creating a distance between the viewer and the object, the camera phone neutralises the horror of seeing someone screaming in pain and thereby it mitigates the guilt.
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What are the legal protections available?

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- Parliament has not enacted such a law.
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- But the Centre has notified guidelines for the protection of those who help accident victims and the SC approved it.
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- In January 2016, a Standard Operating Procedure to make these guidelines work was introduced.
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- Now, the Union Road Transport Ministry has added a significant clause under which a Good Samaritan’s affidavit will have the legal force of a statement.
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- The guidelines say that if a statement is required, it should be recorded in a single examination.
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- The police should not compel them to disclose their particulars or to be witnesses.
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- The Union Health Ministry directed hospitals that they should not detain those who bring accident victims for admission. They should not be required to pay for.
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Has the good samaritan law instilled confidence?

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- Karnataka has a **Good Samaritan law** that protects the kind-hearted citizen helping an accident victim from police harassment.
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- The enactment of this law marks a step towards change in onlooker behaviour as it acknowledges source of fear.
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- The **mere enactment was not enough** to create the confidence to act in a scene, like the one witnessed in Koppal.
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What should be done?

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- Only a few State governments have adopted the Good Samaritan guidelines. All States must get actively involved in their implementation.
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- Also it will take sometime for people to feel secure under good samaritan law provisions and therefore these law should be heavly advertised.
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- Any law that attempts to change people's perception of a state agency **demands a parallel change in the behaviour of the agency (police) itself**.
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- Police should publicise the names of many Good Samaritans over the coming years to make an impact on the public to get rid of its insecurity and apprehensions.
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- As the education system was blamed in the incident, the administrators and political leaders don't appreciate what it takes to **make education an experience that has the potential to create self-awareness and sensibility.**
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Source: The Hindu

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