

Perception of Rescuer and Non-Rescuer in the Good Samaritan Law

Hyun-Suk Lee¹, Cheong-Hwan Lim^{*2}
and Woo-Taek Lim³

^{1,2}Dept of Health Care, Hanseo University, Seosan-si,
Chungcheongnam-do, 31962, Republic of Korea
5632lhs@hanmail.net¹

lch116@hanseo.ac.kr^{*2}

³Dept. of Radiology, Konkuk University Medical Center,
Gwangjin-gu, Seoul, 05030, Republic of Korea
y4769@nate.com³

Abstract

Background/Objectives: The Good Samaritan Law is the general term for laws and regulations, which punish the person who fails to rescue someone who is wounded or in danger even if the behavior does not increase the risk of danger. Such a Good Samaritan Law is not adopted in Korea. Thus, by strengthening the Laws Protecting the Rescuer and adopting the Good Samaritan Law, we need to provide legal protection for actions and be conscientious about it.

Methods/Statistical analysis: Using a structured questionnaire, this study conducted a survey of 349 respondents. The questions covered the following aspects: awareness of the Rescuer Protection Law and the Non-rescuer Law, education related to cardio-pulmonary resuscitation (CPR), rescue behavior, punishment of rescuer and non-rescuer, and adoption of the Non-rescuer Law. The completed questionnaires were analyzed using SPSS ver. 24.0 for Windows. The results of each analysis was considered to be statistically significant if the p-values were below $p < .05$.

Findings: 148(42.4%) respondents were aware of the Rescuer Protection Law, and 201(57.6%) respondents were not. Among different age groups, the proportion of those who were aware of rescuer activities was the highest among those in their 50s (4.2 ± 0.6) activities was the highest of those who supported punishment of rescuers was low in all age groups, and the differences among groups were not statistically significant. The number of those who were aware of non-rescuer laws was 56(16%), and that of those who were ignorant of it was 293(84%), and the difference was statistically significant. The proportion of those who supported punishment of non-rescuers was the highest among those in their 50s, although the difference among age groups was not statistically significant. The proportions of those who support adoption of the Good Samaritan Law were high among all age groups.

Improvements/Applications: The awareness of the Rescuer Protection and Non-rescuer Laws was very low. The proportion of people who support punishment of rescuers was low across all age groups. The proportion of those who support punishment of non-rescuers was high in all age groups. Revision of the Rescuer Protection Law and adoption of the Non-rescuer Law will alter the social perception of the Good Samaritan Law.

Key Words : Good Samaritan Law, Rescuer, Non-Rescuer, Cardiopulmonary resuscitation, Legislative, Education

1 Introduction

On June 13, 2008, the Korean government revised the current Law on Emergency Medical Care, which is known as 'the good Samaritan law'. The revised version of the law was promulgated on December 14, 2008, and is being implemented [1].

The content of the law is that, if something unhappy occurs while a person helps another person who sustains an accident the helper will be exempted from civil and criminal liability for injury (Law No. 9124: Article 5-2).

However, in reality, the Good Samaritan Law (the Rescuer Protection Law) exists only in theory, and still many individuals who

rescued the wounded suffer from civil and other legal liabilities.

If a person does not help someone who is dying from heart attack, the person is not penalized because of the absence of a Non-rescuer Law punishing those who do not help such a person in danger is not adopted. Thus, in an emergency where a person is in the throes of life and death from heart attack or other disease[2], other persons ignore him or her. But, many countries in the world tend to establish laws punishing such inhuman behavior by state power[3].

The behavior to rescue human life in an emergency should be respected. To protect practices and behavior to try to rescue the other person even if there is no benefit to the rescuer, there should be a legal solution [4]. If a social consensus that it is desirable to help a person who is in the danger of life and death is formed, it will work as the basis to make an institution to solve a dispute. Accordingly, this study wants to examine general perception on rescuer and non-rescuer, and suggest basic resources to protect rescuers and change social perception regarding such a case.

2 Materials and Methods

2.1 Research Subjects

Using the structured questionnaire, this study surveyed common people who do not own licenses regarding health and medical treatment from November 2017 to February 2008. The number of copies used in the analysis was 349, and, among them, males were 199(57%), and females constituted 150(43%). The average age of respondents was 36.5 years (± 13.1). The number of those who received CPR education was 266(76.2%), while the number of those who did not was 83(23.8%)(Table 1).

Table 1: Demographic characteristics **unit : N(%)**

Provision	Classify	N(%)
Sex	Male	199(57.0)
	Female	150(43.0)

Ages	20 or less	132(37.8)
	30s	83(23.8)
	40s	60(17.2)
	50 or more	74(21.2)
CPR education experience	No	83(23.8)
	Yes	266(76.2)
All		349(100)

2.2 Research Methods

The questionnaire used in this study consisted of the following questions: awareness of the Rescuer Protection Law and the Non-rescuer Law, education involving cardio-pulmonary resuscitation (CPR), behavior of rescuer, punishment of rescuer and non-rescuer, and adoption of the Non-rescuer Law. Hundred copies of the questionnaire were filled out by person-to-person interview, and the last 300 were sent by mail to those in charge of safety in private companies, and 249 copies were returned.

2.3 Statistical Process

Collected data were analyzed using SPSS (statistical package for the social science, version 24.0, IBM, Chicago, IL, USA).

Statistical analyses used in this study were Student's t-test and one-way ANOVA. Statistically significant items extracted from one-way ANOVA were treated with Duncan's Multiple Range test (DMRT), and statistical significance per group was identified.

The analysis showed that they were significant at $p < 0.05$.

3 Results

3.1 Results

Chi-squared test of awareness of the Rescuer Protection Law depending on CPR education showed that 140 out of 266 who underwent CPR education were aware of the law, while 126 were not. Among 83 respondents who were not familiar with CPR, the number of those who were aware of the law was 8, and that of those

who were ignorant was 75. The difference was statistically significant ($\chi^2 = 47.877, p < 0.001$), (Table 2).

Table 2: Awareness on the Rescuer Protection Law (unit : N, %)

Rescuer Protection Law	CPR Education Experience		χ^2	p
	Yes	No		
Yes	140(94.6%)	8(5.4%)	47.877	<0.001
No	126(62.7%)	75(37.3%)		
All	266(76.2%)	83(23.8%)		

3.2 Perception on rescuer behavior

Responses to the question, "All the wounded persons should be given help" were analyzed by dividing them according to sex, age group, and experience in CPR education.

Student's t-test based on gender showed that the value of males was 3.8persons should be given help" were analyzed the difference in values was not significant ($t = -0.139, p > 0.05$).

One-way ANOVA of age groups yielded the following values: 3.7 ± 0.9 for those in their 20s or below, 3.8 ± 0.9 for those in their 30s, 3.7 ± 1.2 for those in their 40s, and 4.2 ± 0.6 for those in their 50s or above. The value forthose in their 50s or above was the highest, and the difference was statistically significant ($f=5.546, p<0.001$). Post hoc analysis of Duncanalso showed clear difference between the value for those in their 50s or above and the corresponding values among the other age groups.

Student's t-test depending on the CPR education showed that the value for those who did not receive the education was 3.8 ± 1.0 , and the difference of such values was statistically significant ($t=-2.356, p<0.05$), (Table 3).

Table 3: Perception on rescuer behavior

	Provision	Mean $\pm$ SD	t	p	Duncan
Sex	Male	3.8 $\pm$ 1.0	-0.139	0.889	n/a
	Female	3.9 $\pm$ 0.9			

Ages	20 or less ^a	3.7±0.9	5.546	0.001	c.a.b<d
	30s ^b	3.8±0.9			
	40s ^c	3.7±1.2			
	50 or more ^d	4.2±0.6			
CPR Education Experience	No	3.8±1.0	-2.356	0.020	n/a
	Yes	4.0±0.8			

3.3 Perception on punishment of rescuer

The answers to the question, "If there is a serious mistake, the rescuer should be punished for it" were analyzed on the basis of gender, age, and CPR education. Student's t-test on gender showed that the value of males was 3.44 ± 1.1 , while that of females was 3.45 ± 1.1 , but the difference of values was not significant ($t = -0.080$, $p > 0.05$).

One-way ANOVA of age groups showed that the value for those in their 50s or above was the lowest among the different age groups, but the difference was not significant ($f = 1.019$, $p > 0.05$).

Student's t-test depending on CPR education showed that the value for those who did not receive the education was 2.5 ± 1.0 , while the value for those who had the education was 2.6 ± 1.1 . Those who had such education was more negative to the statement, "If there is a serious mistake, the rescuer should be punished for it," but the difference in values was not statistically significant ($t = 0.297$, $p > 0.05$), (Table 4).

Table 4: Perception on punishment of rescuer

	Provision	Mean±SD	t	p	Duncan
Sex	Male	3.44±1.1	-0.080	0.936	n/a
	Female	3.45±1.1			
Ages	20 or less ^a	2.7±1.0	1.019	0.384	n/a
	30s ^b	2.5±1.1			
	40s ^c	2.6±1.1			
	50 or more ^d	2.4±1.2			
CPR Education Experience	No	2.5±1.0	0.297	0.767	n/a
	Yes	2.6±1.1			

3.4 Awareness on the Non-Rescuer Law

Chi-squared test of awareness related to the Non-Rescuer Law depending on exposure to CPR education showed that 55 of 266 who had CPR education were aware of the law, while 211 were not. However, only 1 out of 83 respondents who were ignorant of CPR was aware of the law, and the remaining 82 were unaware of the Law. Such difference was statistically significant ($\chi^2 = 17.805, p < 0.001$) (Table 5).

Table 5: Awareness on the Non-Rescuer Law

Non-Rescuer Law	CPR Education Experience		χ^2	p
	Yes	No		
Yes	55(98.2%)	1(1.8%)	17.805	<0.001
No	211(72.0%)	82(28.0%)		
All	266(76.2%)	83(23.8%)		

3.5 Perception on punishment of non-rescuer

The answers to the question, "Non-rescuer should be punished" were analyzed on the basis of gender, age, and CPR education.

Student's t-test based on gender showed that the value of males was 3.1 ± 1.1 , while that of females was 3.3 ± 1.0 , and the difference in values was not significant ($t = -1.452, p > 0.05$).

One-way ANOVA of age groups showed that the value for those in their 50s or above was the highest among different age groups, without any significant difference ($f = 1.489, p > 0.05$).

Student's t-test depending on the experience of CPR education showed that the value for those who did not receive the education was 3.2 ± 1.1 , while that for those who had the education was 3.2 ± 1.0 . And, the difference of values was not statistically significant ($t = 0.427, p > 0.05$), (Table 6).

Table 6: Perception on punishment of non-rescuer

	Provision	Mean $\pm$ SD	t	p	Duncan
Sex	Male	3.1 $\pm$ 1.1	-1.452	0.148	n/a
	Female	3.3 $\pm$ 1.0			

Ages	20 or less ^a	3.2±1.0	1.489	0.217	n/a
	30s ^b	3.0±1.1			
	40s ^c	3.2±1.0			
	50 or more ^d	3.4±1.1			
CPR Education Experience	No	3.2±1.1	0.427	0.670	n/a
	Yes	3.2±1.0			

3.6 Perception on adoption of the Non-Rescuer Law

The answers to the question, "The Non-Rescuer Law should be adopted" were analyzed on the basis of gender, age, and CPR education.

Student's t-test based on gender showed that the value of males was 3.5 ± 1.0 , while that of females was 3.6 ± 0.8 , but the difference was not significant ($t = -0.702$, $p > 0.05$).

One-way ANOVA of age groups showed that the value for those in their 50s or above was the highest among the age groups, while the difference was not significant ($f = 1.643$, $p > 0.05$).

Student's t-test depending on CPR education showed that the value for those who did not receive the education was 3.5 ± 0.9 , while that for those who had the education was 3.5 ± 0.8 , proving that both groups perceive the adoption of the law positively, although the difference in values was not statistically significant ($t = 0.275$, $p > 0.05$), (Table 7).

Table 7: Perception on adoption of the Non-Rescuer Law

	Provision	Mean±SD	t	p	Duncan
Sex	Male	3.5±1.0	-0.702	0.483	n/a
	Female	3.6±0.8			
Ages	20 or less ^a	3.5±0.8	1.643	0.179	n/a
	30s ^b	3.5±0.9			
	40s ^c	3.5±1			
	50 or more ^d	3.7±0.9			
CPR Education Experience	Yes	3.5±0.9	0.275	0.783	n/a
	No	3.5±0.8			

4 Discussion

Emergency is a situation, which is very risky or urgent, and a quick decision and administration of first aid to the person in emergency can secure the person's safety or save his or her life. CPR education is the process of learning the correct measures following priorities in an emergency. Among 349 respondents who were not in health or medical treatment-related profession, 266(76.2%) received CPR education; however, 83 did not receive such education demonstrating that the education was imparted to most of the people. Thus, it is necessary to establish an institution, which facilitates anyone to conduct CPR in an emergency[5].

If the rescuer is liable to second-hand conditions in the process of rescuing another person, he or she will be reluctant to act. Therefore, this study conducted a survey of common people to determine the consensus among the respondents on the statements of rescuer protection and non-rescuer punishment.

Among 349 respondents, 266 underwent CPR education and among those educated, as many as 126 were ignorant of the Rescuer Protection Law suggesting that the CPR education only focused on technical aspects [6]. People vaguely assume that most of the rescuers were legally protected. Thus, it is necessary to educate individuals on the technical aspects and the Rescuer Protection Law in CPR education.

In responses to the question, "All the wounded persons should be given help," a majority of those in their 50s and above and those who received CPR education tended to agree compared with the contrasting groups($P < 0.05$). According to Yun Mae-ok, CPR education increases self-efficacy and performance capacity, and the willingness to help the wounded [7].

To the question of whether rescuers should be punished, most respondents answered negatively regardless of gender, age, and CPR education. No significant differences were found among different groups of people. Yun Jong-haeng argues that a strong education and publicity is needed to disseminate the culture of consideration for other people [8], and emphasizes the need to correctly understand the Rescuer Protection Law.

Most of the respondents were ignorant of the Non-Rescuer Law, which suggested that the education and awareness of the laws has

never been implemented as the law has never been adopted.

The finding suggesting that females and elderly population tend to support punishment of non-rescuers reveals their perception that it is natural to rescue the suffering of the wounded, and to punish persons who fail to lend a helping hand [9]. A high proportion of respondents agreed on the adoption of the Non-Rescuer Law. However, no clear objective standards are in place, which can generate irrational legal disputes [10].

Even if this study surveyed only common people, it is essential to reinforce the Rescuer Protection Law for specialists working in emergency rescue sites. It is necessary to drastically change the education system to alter people's perception related to rescue activities as well as publicizing the Non-Rescuer Law among the people. Legal protection and social awareness of rescue activities are needed.

5 Conclusion

It was found that an extremely low proportion of common people were aware of the Rescuer Protection Law and the Non-Rescuer Law. The support for punishment of rescuer was low across all age groups, and the support for punishment of non-rescuer was high among all the age groups.

Essentially, the Rescuer Protection Law advocates legal protection for rescue activities without expecting rewards. It is the essence of the Non-Rescuer Law that injury to another person without rescuing him or her, should be prevented.

Accordingly, this study suggests that adoption of a law protecting rescuers and punishing non-rescuers can alter social consciousness under the Good Samaritan Law.

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