

Allegations against paramedic dismissed

16 June 2021



Richard Padley instructed by Blackfords LLP secured the dismissal of all allegations against his paramedic client following a 5 day hearing.

Paramedic MS was alleged to have conducted a perineal massage on a patient during the course of childbirth, something which was alleged to be outside the course of his practice and further failed to document said procedure. During the course of the hearing, in which Paramedic MS did not attend and give evidence, Richard extensively cross examined the HCPC's expert witness in respect of the definition of a 'perineal massage'. In dismissing all allegations against MS the tribunal found the following:

"The Panel concluded that [the expert witness] lacked credibility as an expert witness. He had not referenced any sources used by him when writing his reports, and the two reports that he had produced reached different conclusions without there being any good, clear reason for doing so."

In dismissing the allegations, the panel concluded:

"The Panel concluded that it had not been provided with a clear definition of the term 'perineal massage'. The HCPC had called [the expert witness] to provide such a definition but it was apparent from his evidence, and from his curriculum vitae, that whilst he is an expert in paramedicine he is not one in obstetrics or gynaecology. In the view of the Panel ... these were areas of expertise to be expected of an expert called to deal with the meaning of the term 'perineal massage'. [The expert] had not referenced any sources in the giving of his evidence; he had merely referred to his experience, which centred on teaching student paramedics about generic practice as a paramedic. His evidence on the meaning of 'perineal massage' had changed from one report to the other. In his January 2020 report his definition had involved penetration of the vagina, but his March 2020 addendum inferred that this was not a prerequisite. The Panel had been left unclear on the meaning of the word and therefore unclear as to whether the Registrant's actions ... fell within it. In those circumstances the Panel could not be satisfied on the balance of probabilities that the Registrant's actions did amount to a perineal massage."

The decision allows Paramedic MS to continue his 40 year career unblemished.