

Helen Gooley

Chair
Senate Standing Committee on Community Affairs Legislation
July 15 2009

Dear Senator,

Senate Standing Committee on Community Affairs Inquiry into Health Legislation Amendment (Midwives and Nurse Practitioners) Bill 2009 and two related bills

I am the grandmother of six beautiful children, born to my daughter and two sons and their partners. The three families each made their own decisions about the birth and care of their babies, and all have done a brilliant job. My eldest son's wife had their little boy delivered in hospital, by caesarean section, of necessity. My youngest son's wife had their three children delivered vaginally at a metropolitan public hospital. My daughter had a homebirth for her two little boys, with the expert attendance of an experienced, qualified midwife who cared for her throughout the pregnancies and afterwards. I fully supported each family and the decisions they made. I do not wish to see a situation where any of these options is made mandatory. Likewise, I do not wish to see any of these options forbidden, or made impossible.

I am concerned at the *Health Legislation Amendment (Midwives and Nurse Practitioners) Bill 2009*, the *Midwives Professional Indemnity (Commonwealth Contribution) Scheme Bill 2009* and the *Midwives Professional Indemnity (Runoff Cover Support Payment) Bill 2009*, which are currently the subject of an Inquiry by the Committee on Community Affairs.

The bills expand the role of midwives in the provision of maternity services, but exclude midwives who attend births at home. By excluding these midwives, the Government is effectively making attended homebirth illegal. This is because, under the proposed National Registration and Accreditation Scheme, due to be implemented in July 2010, any midwife who cannot obtain insurance cannot be registered. Laws in many states make it a criminal act for an unregistered midwife to attend a birth, and the National Registration and Accreditation Scheme also imposes a fine for doing so.

If enacted, rules made under the bills before the Parliament will make it illegal for a qualified midwife to attend a homebirth in Australia. Such a move is dangerous for mothers and babies, bucks international trends in maternity care, and is inconsistent with the Government's stated policy of providing pregnant women with greater choice and less interventionist maternity care.

With extremely high intervention rates in hospital, many women are afraid to birth in hospitals and believe their only chance at natural childbirth is at home. If it becomes illegal for registered, highly skilled midwives to care for these women, many will feel they have no option other than to birth unattended. This legislation unintentionally promotes this practice, which is directly contrary to the World Health Organization's objective of having a skilled attendant at every birth. I am extremely concerned that the legislation will result in unnecessary deaths of babies and mothers, and may also result in midwives being fined and jailed if they assist labouring women. This is an absurd situation in a modern democracy.

In the UK, New Zealand, Canada and The Netherlands, homebirth is publicly funded and supported. I am not aware of another country in the world where a midwife can be jailed for attending a homebirth.

Australian women must all be entitled to the same Medicare support wherever they give birth, and midwives must all be entitled to obtain professional indemnity insurance wherever they work.

Yours sincerely

Helen Gooley

