

I am writing to you as both a midwife and a consumer of maternity services. As a midwife, I am employed at the John Hunter Hospital in Newcastle currently on maternity leave. As a consumer, I am a mother of 2 beautiful boys. I first gave birth in a public hospital, having a planned caesarean section for placenta praevia. My second birth was a water birth at home, where I was cared for by private practice midwives. Both of these experiences were very positive for me and I felt well supported by the professionals who cared for me during this time.

If the draft laws for the new national registration scheme for health professionals are implemented, I would not have been able to have my second baby at home. Having had a previous caesarean section, I would be excluded from any publicly funded homebirth program as I would be considered to be high risk. Therefore, my only option of care at home was to employ private practice midwives. The new legislation will require all midwives from 1 July 2010 to hold professional indemnity insurance for their practice (clause 69). An additional clause specifies that every aspect of care provided by a registered health professional will have to be covered by indemnity or else disciplinary action may be taken (clause 101). Midwives employed by a hospital will meet the requirement via the vicarious liability provided by their employer. But midwives in private practice are still not able to purchase insurance. This causes me great concern as this effectively means private midwives will no longer be able to attend homebirths.

The effect of these changes will take away my right to choose where and with whom I give birth and also deprive midwives in private practice providing care for homebirth of their livelihood. Even more gravely, it will also reduce all women's access to professional midwifery care for birth at home. I am very concerned that this may mean some women feel they have no choice but to give birth without a qualified midwife in attendance.

If private practicing midwives are not assisted with indemnity insurance the option of homebirth will be illegal. This is not acceptable. They will do this unattended by midwives who have the knowledge and skills that ensure women who labour at home can do so safely. They closely supervise the labour to ensure that everything is proceeding normally and can arrange for timely transfer if they are not.

It is not appropriate to force women to give birth at home without the support of a midwife. I believe it is unsafe for both the mother and the baby. I further believe that this legislation will directly result in poor outcomes for mothers and babies.

I cannot urge you strongly enough to provide support for midwives to access professional indemnity for all of their regulated scope of practice. This includes care of women during pregnancy, labour and birth and postnatally in any setting, as set out in the international definition of the midwife. In 2006 0.3% of all births in Australia were planned homebirths. I encourage you to do all you can to support this

minority group of mothers, to keep them safe and allow them to be able to make the choices that they believe are right for them and their families.

Yours faithfully

Kate Drew