

Chair  
Senate Standing Committee on Community Affairs Legislation

13 July 2009

By email: community.affairs.sen@aph.gov.au

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 a former midwife having supervised over 1200 home births in the period between 1978 to 1998. I was deregistered in 1998 largely by the evidence of Dr Graham Reeves [now known as the Butcher of Bega]. An extremist, however his fear of women and ignorance about midwives who practice in the community is common to many obstetricians who restrict, limit and diminish the practice of midwifery.

I am now a social worker in mental health and daily I see evidence of inappropriate hospital birthing practices leading to a poor mental health for women, thus lessened quality of life for their children. This is demonstrably due to the lack of initial positive maternal health care at their births and early post-natal period.

The policies of hospitals encourage a climate of fear and iatrogenesis; illness created by poor medical practices, bent more on providing experiences of illness for training doctors. Policies designed more to protect practitioners/hospitals from possibly blame in litigation; than of the principles of inspiring confidence and belief in a mothers ability to well care for her baby given she receive good information and support.

Only in our own homes do we retain our power to find our ways to best manage our births, our relationships and our on-going parenting. Remove the right to maintain these basic mammalian instincts and we interfere with all of our natural life cycles to the detriment of our social, emotional and physical health .

It has been home births and the research findings in this environment that have set the standard for the advances in maternity services that Australia has proudly boasted on the world stage. The proceedings and the prominence of Australian midwives at international midwifery conferences and with each State and Federal Government enquiry and committee since the early 1980's attests to this.

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,

**Maggie Lecky-Thompson**