

Senator Moore
Chair
Senate Standing Committee on Community Affairs Legislation

13th July 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 soon to become a first time mother with a planned homebirth towards the end of the year in December. I am shocked by the current laws before the Senate, which would see my professional, independent midwife act illegally should she continue the incredible work she is doing with people like myself come July 2010.

Every woman has a right to make a choice when it comes to bringing new life into this world. A choice how and where to birth based on careful consideration and best outcome for both mother and baby. I fear for the safety of woman and babies should you take away this absolute right that belongs to all women.

I feel blessed that I am currently pregnant and not being forced out of my wishes of a safe and legal homebirth this year. These potential new laws make me rethink having a second child should I not be able to 'choose' where I birth and receive the support that all women deserve

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
Lizzie Rose