

Senator Moore
Chair
Senate Standing Committee on Community Affairs Legislation

Monday 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 have numerous friends who have had the wonderful opportunity to be able to have the choice to have their children born in their own homes with the professional assistance of midwives. The births were conducted in a very safe manner and because they were in their own homes they were more relaxed and more at ease through the whole birthing process. **I think it is extremely important that women continue to have the choice of where and how they give birth and that midwives have a choice in what type of births they would like to assist with.** I think that it would be a huge suppression of human rights and a contradiction of Australia's foundations of basic democracy. In such a climate of huge technological advancement and supposed improved democracy and improved tolerance of differences this would be seen as a major backwards step for Australia. The Australian Government should be embracing and supporting the safe practice of home birthing especially with the current under-resourcing of the public hospital system. Surely this would be a further unnecessary burden on the hospital system but in fact could be embraced as a positive solution to alleviate this burden on overstrained resources. In addition, many women will still choose to have homebirths but without the choice of having a midwife many lives may be unnecessarily endangered.

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 gaoled 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 gaoled 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

Melinda McDonald