

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

On September 8, 2006, we had the greatest pleasure of our lives giving birth to our daughter, Maia Power at home under the care of our experienced and trusted midwife, Betty Vella. It is hard to put into words how much it meant to us to birth in the privacy of our own home. The experience would not have been the same had we decided to birth in a hospital setting and yet, we were prepared to use the medical safety net, if there ever was a need during the pregnancy or birth.

Why did we choose a homebirth? We wanted to be in our own comfortable, home environment where Regina would most able to let go and birth without any worry of unnecessary intervention. Home is a place where we were most comfortable giving birth and we liked the fact that we could hand select our caregiver, who we were confident would support us with her care, professional knowledge and years of experience. And it was just so very special to have our baby in a place that was calm and nurturing. We couldn't think of a better way to start our lives together.

In December, we will be welcoming our second child in the same way and to think that if we were to decide to have a third child that we would not be offered the same choice if current legislation is passed by Parliament is hard to fathom. We are dumbfounded to think that in a democratic society such as Australia that a women's right to choose her place of birth would be deemed illegal if she wished to have her baby at home under the care of an independent midwife.

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,

Regina and David Power