

Senator Moore
Chair
Senate Standing Committee on Community Affairs Legislation

15 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 have three children; two born at home. We chose homebirth as at the time the hospital system did not allow us to have one midwife from conception to birth and we felt we wanted to give birth with someone we knew and trusted.

When we birthed at home:

I loved the level of intimacy and trust we had with the qualified midwives who attended us.

I loved not having to hop into the car while I was having contractions.

I loved being able to control exactly who was with me and my environment when I was at my most vulnerable.

I loved being able to hop straight into bed with my children and being able to stay there, uninterrupted for as long as I liked.

Please be assured, that the decision to birth at home was not made lightly. My husband and I looked closely at the evidence based research available for low risk pregnancies abroad in order to make an informed decision. This research – the latest conducted with over half a million people in Holland¹ -- told us that provided we planned the birth of our children in conjunction with a qualified midwife, our choice was as safe as having a baby in hospital.

I am not anti hospitals and the excellent level of care Australian women are offered by obstetricians and gynaecologists. On the contrary, with child number one, we had issues at home, and as a consequence, transferred to hospital. Our beautiful daughter was born with the wonderful help of dedicated, professional doctors and hospital midwives. In fact, I wrote to the hospital that delivered my first child, commending them on the great job and positive attitude of everyone we came into contact with. Rather, I am pro-choice and strongly believe that if you want to birth at home you should be able to have a qualified midwife to keep things on track.

I am concerned about 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.

I believe that all women are entitled to the benefits of home birth outlined at the start of this letter. In addition, I see midwifery care is a preventative health measure which not only assists in keeping well women and their babies out of hospital beds but represents a significant cost saving to Government. A birth at home costs significantly less than even the most straight-forward hospital birth and women who birth at home are less likely to have interventions including assisted delivery and caesarean section, or distressed babies. Women's and their partners' satisfaction with birth is also increased and women are more likely to breastfeed.

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

Nova Franklin

¹ A de Jonge, BY van der Goes, ACJ Ravelli, MP Amelink-Verburg, BW Mol, JG Nijhuis, J Bennebroek Gravenhorst, SE Buitendijk. *Perinatal mortality and morbidity in a nationwide cohort of 529 688 low-risk planned home and hospital births*. British Journal of Obstetrics and Gynaecology, 15 April 2009