

15/7/09

Ms Claire Moore
Chair
Senate Community Affairs Legislation Committee

By E-mail: community.affairs.sen@aph.gov.au

Dear Senator Moore

Re: Inquiry into Health Legislation Amendment (Midwives and Nurse Practitioners) Bill 2009 and two related Bills

As a woman and mother I have great concerns regarding the above mentioned bills. Whilst it is a great step forward to provide some midwives with access to the Medicare Benefits Schedule, the Pharmaceutical Benefits Scheme and Professional Indemnity Insurance, it remains completely unacceptable to exclude homebirth. The intersection of this legislation with the national registration and accreditation of health professionals will prevent homebirth midwives from registering. In turn making homebirth with a midwife illegal. Surely this is an oversight and it is not the intention of this Govt to take away choice from pregnant women.

I birthed 3 of my 4 children at home with the same midwife. My midwife knew me so well, she knew my medical, social and emotional history and needs and she understood what was normal for me. I had 3 very straight forward easy births at home, surrounded by my loved ones and cared for by my midwife. The hospital birth I experienced with my first baby could in no way compare to my 3 amazing homebirths.

I am deeply concerned that my choice of homebirth with a private midwife will become illegal and if my midwife still supported my choice then she could be fined and jailed. This is ludicrous. She could rape a football supporter or beat up an Indian student and simply get a slap on the wrist but God forbid she lovingly support my choice of birth at home.

If these bills are passed they will breach human and women's rights, The WHO code, The international definition of the midwife and will create enormous issues in relation to the interests of public health safety.

Human and women's rights

It is a basic human right for a woman to choose where and with whom she gives birth. No Government or politician should be able to decide what is best for a woman, her body and her baby if the woman is of sane mind and character. If these bills are passed they will be breaching the Who code and The International Definition of the Midwife which states

The International Definition of the Midwife

A midwife is a person who, having been regularly admitted to a midwifery education programme, duly recognised in the country in which it is located, has successfully completed the prescribed course of studies in midwifery and has acquired the requisite qualifications to be registered and/or legally licensed to practice midwifery.

The midwife is recognized as a responsible and accountable professional who works in partnership with women to give the necessary support, care and advice during pregnancy, labour and the postpartum period, to conduct births on the midwife's own responsibility and to provide care for the newborn and infant. This care includes preventive measures, the promotion of normal birth, the detection of complications in mother and child, the accessing of medical or other appropriate assistance and the carrying out of emergency measures.

The midwife has an important task in health counselling and education, not only for the woman, but also within the family and community. This work should involve antenatal education and preparation for parenthood and may extend to women's health, sexual or reproductive health and childcare.

A midwife may practice in any setting including the home, community, hospitals, clinics or health units.

With the passing of these bills there will be a breach of The International definition of the midwife. Midwives will not be able to 'work in partnership with women' if those women choose homebirth. Midwives will not be able to 'conduct birth on the midwife's own responsibility' should the woman's choice be to birth at home. And she certainly will not be able to 'practice in any setting including the home, community, hospitals, clinics or health units'.

Interests of Public Health Safety

Women will continue to give birth at home. If these bills are passed I would birth at home without a midwife if I choose to have another baby, because I would consider that to be a safer option for me and my baby than to birth in my local hospital. It would not be my initial choice and I would feel safer if I had my midwife's support and care. It is unacceptable, but most importantly it is unsafe to force a woman, by law, into a choice that is not optimal for her, whether that is to birth in hospital or to birth at home without midwifery support. In the interest of public health safety these bills are unsafe should not be passed.

The solution is easy. The Govt can extend the MBS, PBS and PII to privately practicing midwives who attend homebirths, the Govt can simply provide midwives with PII, or alternatively a clause could be added, as in the UK, whereby private homebirth midwives are not required to show proof of PII in order to register until such a time as a policy is made available.

It is my basic human right to birth where and with whom I choose and it is an act of discrimination to remove that choice from me, particularly when the removal of my choice is not based on any evidence or research.

Yours in informed choice

Mrs Jo-Ann Hunter