

Tina Melvin

Senator Moore
Chair
Senate Standing Committee on Community Affairs Legislation

16 July 2008

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

Dear Senator,

I have given birth to both my two children at home and under the care of a private midwife. It was the only possible way to ensure both my babies were born naturally without unnecessary intervention and both births were an amazing and fulfilling experience for me. I could not give birth in a hospital due to previous bad experiences but being able to birth at home was a healing process for me and prevented me from getting baby blues. Of the four couples who attended my birthing classes, two had wonderful homebirths with independent midwives, one attempted a homebirth and had to be transferred to hospital and the fourth had the best obstetrician at RPA and attempted a hospital birth which resulted in a dead baby after the birth. I believe that hospitals have their place for complications during birth where only drugs and surgery will get the baby out safely, but it should be the exception not the rule and women should have the choice of where they birth and have professional midwife care and the backup of hospitals available.

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. I know this is the case for me. 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. I for one would either go to another country for my next birth where it is possible to birth at home with a professional midwife or else I would be tempted to try to birth at home on my own.

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