

Dear Senator,

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

I am an Irish lady and blessed to have a beautiful daughter now almost 11 months old. My husband is Australian and we recently moved back to settle in Australia after spending 6 years in the UK. From the very moment I discovered I was pregnant, I knew that I wanted to have my baby in the calm, nurturing and safe environment of my own home. This choice was one which was available to me on the UK's national health service and on the 20th August 2008 I had the most beautiful, amazing and positively empowering experience when my baby joined our family after a natural labour and pool birth in our front room. All in all we received wonderful support from our midwives both antenatally and during the days after our daughter's birth. We lived in North Yorkshire where there is great pride in the growing number of homebirths, from midwives who lovingly and enthusiastically deliver support round the clock.

My husband and I are excited about raising our daughter in this wonderful country and we plan to have more children and having our babies at home is the only option we would consider. I am shocked to learn about the current debate in relation to a woman's choice to have her baby wherever she chooses and the possible situation facing midwives who attend homebirths and 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

Mariel Hiney-Wilms