



# Homebirth Network of SA Inc

PO Box 223 BLACKWOOD SA 5051

[coordinate@homebirthsa.org.au](mailto:coordinate@homebirthsa.org.au)

[www.homebirthsa.org.au](http://www.homebirthsa.org.au)

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20<sup>th</sup> July 2009

Homebirth Network of SA Inc  
PO Box 223  
BLACKWOOD SA 5051

Ms Claire Moore  
Chair  
Senate Community Affairs Legislation Committee

By E-mail: [community.affairs.sen@aph.gov.au](mailto: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**

We write to express our concern about the above bills. We understand that these bills will enable Medicare funding, access to the Pharmaceutical Benefits Scheme and professional indemnity premium support for midwives providing care for women to give birth in hospital.

Medicare funding for midwifery care is long overdue. It is not acceptable however to exclude homebirth from this funding and indemnity arrangement. By doing this Australia is totally out of step with nations such as the United Kingdom, Canada, The Netherlands and New Zealand.

These nations support the rights of women to choose homebirth and fund a registered midwife through their national health scheme. In New Zealand and the U.K women have a legislative right to choose homebirth.

The intersection of this legislation with the national registration and accreditation of health professionals will prevent homebirth midwives from registering. We believe this to be an unintended consequence and ask that you take steps to include homebirth within the Health Legislation Amendment (Midwives and Nurse Practitioners) and related Bills.

We support a system where all consumers are treated equally, with the same access to funding and the same insurance protection.



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Furthermore, we quote and support the following by Roslyn Donnellan – Fernandez (Community Midwife, WCH Foundation Midwifery Fellow):

Whilst the principle of expanding publicly funded, accessible, public sector homebirth services in Australia needs to be supported, I think we are all astute enough to recognize that the actual reality / likelihood of these services being made widely available through the public sector in many state and territory jurisdictions at the present time is unlikely.

Acquiescing to a policy position where the public system undertakes responsibility to "pick up all the homebirths" is unacceptable. Politicians, Health Minister's and health bureaucrats need to be clearly advised so. I would caution against a position that vests "the state" / government with sole oversight of homebirth services on the basis that such acquiescence makes these services ever vulnerable to the conservative lobby and whims of changing governments, ministers and health bureaucrats, many of whom will prove more formidable than their current counterparts.

I am in favour of supporting broad principles usually associated with a liberal democracy, such as civil liberty. Proposed legislative reforms (in their current state), whilst benefiting substantive sectors of the community also pose a significant threat both to the civil liberty and safety of other sectors of the community.

In a 'free' society the reproductive right to exercise privacy and bodily autonomy in childbearing is not the province of "the state" or government to regulate, nor to assume upon itself the role of 'sole provider' of service options. (Just imagine if this was suggested in relation to other private freedoms such as religious practice, freedom of speech, or other private behaviour and relationships that are receiving plenty of advocacy and support in both the public and legal arena currently).

Additionally, such a position is inconsistent with past and present government policy that supports and funds / subsidises a substantive private health services industry.

In a 'free' civil society citizens may exercise their rights to take up either public or private services. Currently every Australian taxpayer subsidises the (arguably inefficient) private health insurance industry, including this sector of the populations "choices" whether they wish to or not.



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Currently every Australian taxpayer subsidizes privatised obstetric / medical insurance premiums, including this sector of the populations "choices" whether they wish to or not. Providing access to certain "private" childbirth service options whilst legislatively impeding others (either intentionally or unintentionally), smacks of restraint of trade / restrictive trade practice and anti-competitive behaviour and should be challenged socially and legally on these grounds.

In a supposedly 'free' society with supposed 'free market' principles operating, government interference that deprives citizens of fundamental freedoms / civil liberty and endangers citizen access to safe service options in childbirth (ie: qualified, registered, indemnified midwives in the private sector) should not be tolerated, moreso where it is not supported by either the scientific evidence or practice consistent with other comparable western health systems.

Yours sincerely

Tanya Bingham

On behalf of the Homebirth Network of SA Inc Committee