

29 April 2009

The Secretary  
Senate Community Affairs Committee  
PO Box 6100  
Parliament House  
Canberra ACT 2600

Dear Mr/Madam Secretary:

I wish to make the following personal submission to the committee, regarding the proposed National Registration and Accreditation Scheme for doctors and other health workers. First, allow me to state my qualified support for the scheme: I believe it will provide a mechanism for ensuring and improving the quality of health care available to all Australians. Furthermore, although I am not convinced that the benefits of this particular aspect of the proposed scheme are as clear, I understand why those designing the scheme are keen to see a requirement included whereby all registrants must carry professional indemnity insurance.

I am greatly concerned, however, that there will be at least one unintended – but potentially disastrous – consequence of the registration scheme being implemented as proposed without additional action by the government. I refer to the fact that at present, in Australia, there is no commercial insurer offering professional indemnity insurance to qualified midwives who attend home birth. Logically, if the scheme is implemented as proposed, and nothing is done about that situation, it will render the practice of a midwife attending a home birth effectively illegal in Australia. This is unacceptable.

Low risk home birth has recently been shown – in a study of *half a million* women in the Netherlands – to be at least as safe for the baby as low risk hospital birth. It is generally safer for the mother, and is associated with better postnatal outcomes for both. Even more fundamentally, it is the right of every woman to choose to give birth in the environment she believes will be best for the baby and for herself. For many women, that choice is to give birth in a hospital. But to legally mandate that decision – even indirectly – cannot be justified.

Of course, even if the scheme goes ahead as proposed, and home birth attended by a qualified midwife thereby becomes an illegal practice, women will not stop giving birth at home. But, instead of the proven, safest way to do so (i.e. attended – legally – by a qualified midwife), women will then have home births:

- attended by a qualified midwife who is prepared to break the law and practice illegally, or
- attended by an unqualified birth attendant or doula, or
- without any birth attendant (also known as “freebirthing”)

The first option requires that the midwife be prepared to risk personal fines if the practice is so much as discovered, leading to an environment of secrecy which is likely to dissuade at least some cases from transferring to hospital when such a transfer is medically indicated. The latter two options increase the risk to both mother and baby, even if no transfer is required. In all cases, the outcome is worse – potentially far worse – than the existing legal option of home birth attended by a professional midwife. To implement this scheme believing that the rate of riskier births described above will not increase is simply naïve, and in a way which quite literally endangers lives.

In light of the above, I submit to the committee that implementation of the National Registration and Accreditation Scheme must include some mechanism or legislation whereby the Federal Government will guarantee the availability of – or even provide – professional indemnity insurance to qualified midwives who attend home births.

Sincerely,  
Robin Darroch