

Comments on Exposure Draft of the *Health Practitioner Regulation National Law 2009*

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To NRAIP 17/7/09 10:25AM

Specifically Professional Indemnity Insurance as a Requirement for Registration of Independent/Homebirth Midwives

I object to the proposed requirement under these Bills that Independent Midwives must hold Professional Indemnity Insurance in order to be registered as a midwife, the consequences of which I consider to be an infringement of my right to choose to give birth at home.

The requirements of insurance companies are based on business risk and profits rather than the complex needs of pregnant women and would be a poor measure of the competence of a midwife. The relevant registration board should be able to adequately determine the competence of their professionals (in this case midwives) and should have no need to rely on the assessment of an insurance company. **The Bill must contain a clause that exempts Independent Midwives from the requirement to obtain Professional Indemnity Insurance in order to be registered with the relevant board.** Failure to exempt Independent Midwives, or subsidise their Professional Indemnity Insurance, will remove the choice of homebirth from families, which is unacceptable in a democratic country such as Australia.

I am the mother of a five month old baby to whom I gave birth in the comfort and privacy of our home with the assistance of two Independent Midwives with nearly 40 years' experience between them. Our birth was safe, peaceful, and a wonderful experience, with no interventions. We have enjoyed supportive continuity of care from our midwives for the duration of my pregnancy and the months following the birth. My antenatal appointments were held in my home so that I didn't have to negotiate traffic and sit in a waiting room while in advanced pregnancy. My midwives continued to phone and email me as many as three months after the birth to check how things were going and provide caring advice. How many GPs, Obstetricians, or hospitals are willing or able to provide this high level of care?

We have developed a good relationship with these midwives with the intention of engaging them again in two or three years' time when we had planned to give our next child the same gentle birth experience. The Bills submitted to parliament, with the recommendation that that Professional Indemnity Insurance be a requirement for registration of independent midwives, will be an infringement of my right to choose pregnancy and birth care that I know from experience to be the superior option.

If these insurance requirements for midwives become law, this government will not only be impinging on my right of choice, but also putting me in a distressing position should I have another child. If homebirth is removed as an option through this technicality, I would have to leave my home and travel while in labour to get to a hospital or birth centre, but, because I labour quickly, I would risk giving birth on the side of the road. This prospect is upsetting and unacceptable to me. My midwives live close enough to reach me in time to assist with the challenging end stage of my labour and birth. Hospitals and birthing centres also do not adequately meet my

needs for comfort, privacy, respect, and serenity because the antenatal and birth care given me by my Independent Midwives has set a precedent that cannot be replicated by a hospital- or birth centre-based programme.

I expected a more efficient evaluation of maternity services from this government, taking all sides into account irrespective of how small a minority is affected by each decision, and have been very disappointed. Homebirth is a valid and successful option in forward-thinking countries such as the Netherlands and I think Australian homebirthing families deserve more respect than has been shown in dismissing our input and our concerns over the Maternity Services Review, the recommendations there from, and now the proposed Bill that may effectively make it illegal for an independent midwife to provide assistance to a birthing mother in her own home.

Homebirth must continue to be an attainable option for families in Australia as it is in countries like New Zealand, the UK, and the Netherlands. At the very least a simple amendment to the proposed Bill exempting Independent Midwives from the requirement to hold Professional Indemnity Insurance in order to be registered with their national board will help to ensure the option of homebirth continues to be available to Australians.

Yours faithfully
Mrs Elsa Neal