

## **Exposure Draft – Health Practitioner Regulation National Law 2009**

Gurupremananda Saraswati  
To NRAIP 17/7/09 11:17AM

Re Independent (Homebirth) Midwifery

I wish to draw attention to section 101 (ii) in which a registered health practitioner must not practise the health profession unless professional indemnity insurance arrangements are in force. Also to section 148 in which a person must not direct or incite a registered health practitioner that amounts to unprofessional conduct or professional misconduct, incurring penalties.

Registered homebirth midwives are not covered by indemnity insurance due to the small numbers practicing and therefore it is not viable to indemnify them. The introduction of this legislation means that homebirth midwives will no longer be legally allowed to practice midwifery without insurance.

Therefore a registered homebirth midwife will not be able to attend a women's birth in her home, as they have in the past. This affects every women in Australia who chooses to birth at home with a registered midwife. This affects families who wish to choose the continuity of care and support that a midwife provides and therefore affects unborn children.

This legislation makes law the slow creep against women and midwives, a creep that has endeavoured to marginalise and penalise women who choose home birth either as a personal birthing option or as a profession. By stealth the government has now positioned itself to take away choice for women about where and with whom they will give birth, and all this in the face of continual international evidence of the safety of homebirth for low risk women.

I am opposed to the introduction of this legislation as it now stands due to inability of Australian Independent midwives being able to secure indemnity. I suggest a provision is made within the legislation that indemnity for professional midwives is provided either by the government or must be available through the College of Midwifery, to all midwives regardless of where they choose to practise.

Yours Sincerely

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