

The Midwife.

A MIDWIVES ACT FOR SCOTLAND.

The fact that an Act for the Registration of Midwives has been in force in England and Wales since 1902 has made it imperative that legislation should also be enacted in Scotland and Ireland. That this is realized in Scotland is proved by the fact that the advisability of such legislation was urged at the Annual Congress of the Incorporated Sanitary Association of Scotland held at Elgin in September, 1910, and that the Society of Medical Officers of Health in Scotland subsequently drafted a Bill.

In April, 1912, a Bill "to secure the better training of midwives in Scotland, and to regulate their practice," was introduced into the House of Commons by Mr. G. N. Barnes, M.P. for Glasgow (Blackfriars), and read a first time, but no further progress was made with it.

This Bill was in several respects an improvement on the Midwives Act in this country. The great defect of the English Act is that it makes no provision for a seat on the Governing Board for any member of the class governed—*i.e.*, the certified midwives. In more democratic Scotland, although direct representation of the midwives was not provided for in the Bill, provision was made that, of the three persons to be appointed by the Lord President of the Council, two were to be certified midwives practising in Scotland. The Bill also provided power to suspend a midwife from practice as a disciplinary measure, in lieu of striking her off the Roll, and authorized a Local Supervising Authority, taking proceedings against a midwife, to suspend her until the case had been decided. In the event of a midwife being so suspended, or of her suspension to prevent the spread of infection, power was given to the Board, or to the Local Supervising Authority, to indemnify her for the consequent loss of practice, if they thought fit.

Another just provision was that the Board might, if they considered fit, pay all or any part of the expenses incurred by a midwife who might be required to appear before them in her own defence. There can be no doubt in the minds of those who have watched the proceedings of the Central Midwives Board in this country that a midwife who appears before the Board, and is able to explain the points in her own defence, is in a much better position than one who does not. Information is frequently

elicited which otherwise would not be available. It appears to us that every midwife has a right to appear before the Board should she so desire, but the majority of poorly paid midwives cannot afford to do so, and their expenses should be provided. The Board, therefore, has to depend for guidance on its own solicitor, bent on obtaining a conviction, whom long experience has made expert in seizing all the points in favour of the prosecution, and the midwife is either undefended or defended by a solicitor who is really not conversant with the subject, and who may do his client more harm than good, as, for instance, one who in defence against the charge preferred against his client of not sending, in a case where it was necessary, for medical assistance, pleaded that it was "only a case of puerperal fever"! We have on various occasions stated our belief that the proper authority to prosecute is the Local Supervising Authority which has investigated the facts locally, and found a *prima facie* case, but that if the Board, which is a judicial authority, prosecutes, it should also defend. The case could then be argued out before it by experts. We sympathize with the midwife who, when cited to appear before the Board, wrote that she thanked God that she had had a rush of cases which would enable her to attend, but it is scarcely a satisfactory way of spending hardly earned shillings.

Another power provided for in Mr. Barnes' Bill was that a midwife whose name was removed from the Roll might be prohibited from attending women in childbirth in any other capacity. The Central Midwives Board in this country does not possess this power, and it is not unknown, when the question of the removal of a midwife's name from the Roll is under discussion, to hear a member of the Board remark to the Chairman: "She is not fit to be trusted as a midwife, Sir; let her act as a nurse."

The duty of paying the fees of medical practitioners called in on the advice of midwives was placed upon the Local Supervising Authority, with power to recover from the patient's husband or guardian if able to pay.

Beyond the fact that it is of the utmost importance for the safety of lying-in women that midwives should give evidence of sufficient knowledge before being allowed to practise, it is certain that Scotland and Ireland will sooner or later have to secure legislation, both for the

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