

## LETTERS TO THE EDITOR.

*Whilst cordially inviting communications upon all subjects for these columns, we wish it to be distinctly understood that we do not IN ANY WAY hold ourselves responsible for the opinions expressed by our correspondents.*

**DOCTORS AND UNCERTIFIED MIDWIVES.**  
To the Editor of THE BRITISH JOURNAL OF NURSING.

DEAR MADAM,—May I draw your attention to a leader which appeared in the *Lancet* recently under the above heading, since I have seen no comment upon it in the BRITISH JOURNAL OF NURSING, and it appears to call for one. In a case decided earlier in the year, but only lately appearing in the Law Reports, light is thrown on the amount of supervision which a doctor must exercise over a woman who acts as a midwife without being certificated.

Under the Midwives Act, as your readers know, it is a punishable offence for a woman not certified under the Act to attend women in childbirth "habitually and for gain," except under the direction of a registered medical practitioner.

In the case recorded in the *Lancet*, "five expectant mothers had engaged an uncertified midwife's services; qualified medical practitioners were also retained in each case, but they did not pay any professional visits until after the confinements which were attended by the woman alone. In these circumstances she was prosecuted under the section. The doctors who had been retained came and gave evidence on her behalf. They said she was in their opinion capable and trustworthy; they had given her no specific instructions; it was unnecessary to do so; she was acting, they said, under their direction in attending the confinements."

The magistrates before whom the case first came, came to the conclusion that no offence had been committed, and dismissed the case. The Lord Chief Justice, on appeal, pointed out that "in no case was there any professional visit by the doctor; in no case was there any professional enquiry, on any specific instruction. There was thus no evidence on which the magistrates could find that there had been any direction at all. Direction must be real and not nominal."

The comment of the *Lancet* on this decision is as follows:—

"This judicial homily deals, we take it, not so much with the abstract standard of doctors' conduct as with the conditions necessary to be established in a court of law if an uncertified midwife is to be found not guilty of an offence against the Act. But as there is no statutory definition of "direction," the decision is valuable. It is only fair to add that the woman whose action was in question had formerly been a certified midwife, but her certificate had been withdrawn. In the eye of the law she may have been uncertified and unqualified, but the skill and experience which in time past had been sufficient to earn her certification

were, doubtless, well known to the doctors under whom—if not under whose "direction"—she was serving."

It seems inconceivable that a paper of the standing of the *Lancet* should adopt such an attitude. If registered medical practitioners joined in the practice of a man who had been struck off the Medical Register by the General Medical Council, would it excuse them on the ground that "the skill and experience which had been sufficient to secure his registration was well known to them?" What action would the General Medical Council take in such a case? The argument appears to mean nothing more nor less than that the medical practitioners concerned knew that they were covering a woman removed from the Midwives' Roll, and if this principle is accepted, it is surely destructive of the Midwives' Act.

Yours faithfully,

CERTIFIED MIDWIFE.

**KERNELS FROM CORRESPONDENCE.**

PRAISE BE FOR MARGARET BREAY.

*International Spirit.*—"When will the members of our profession realise the debt it owes to Margaret Breay, S.R.N.? I have been a reader of THE BRITISH JOURNAL OF NURSING for thirty years, and her devotion to our interests cannot be estimated. If any other country possessed this quite wonderful woman—whose talents, time and money have always been expended upon its behalf, for the organisation of nursing on the high standards she has always advocated is a real national asset—she would have received thanks and national recognition ages ago. Here apparently we take everything without any adequate recognition at all. Presumably because she will not bow the knee to Baal and sell our birthright of professional independence for a mess of patronage pottage! The recent Report of the business transacted at Copenhagen—from which we gather that once more the College of Nursing, Ltd., attempted to confuse the issues, claiming to be a 'self-governing' body of professional nurses, when its Executive officers and Council are controlled by lay and medical men—might have misled the foreign members of the International Council had not Margaret Breay been present and emphasised the truth. If for nothing else, we 'internationals' owe her very sincere thanks for her expert knowledge of the Council's constitution, and for her splendid outspoken courage in defending our national rights. I note that Miss Lloyd Still attempted to argue that the College stands for 'self-government.' How is this possible when the seven signatories are all laymen and permanent members of the College of Nursing, Ltd., without any qualification for such authority whatever, with a layman as Chairman, four out of five executive officers—unprofessional persons—and a Governing Body composed of peeresses, hospital chairmen, and upwards of a dozen medical men? Then Miss Rundle, the Secretary of the College, claimed

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