

The Midwife.

MIDWIVES AND MATERNITY HOMES BILL.

The Bill "to amend the Midwives Acts, 1902 and 1918, and to provide for the registration of maternity homes, and for purposes connected therewith" (Bill 38), presented by Colonel Fremantle, supported by Major Hills, Sir Henry Slessor, Mr. Morris, and Mr. Greenwood, was, as we have previously reported, read a Second Time on March 2nd, without being in print. It is now obtainable from His Majesty's Stationery Office, Adastral House, Kingsway, London, W.C.2, and through any bookseller, price 3d. net. Now that we have had an opportunity of studying it we are more than ever of opinion that no Bill should be allowed to pass its Second Reading without previously being available in print, for there are many points in this one which should not have been permitted to go unchallenged.

Memorandum.

The Memorandum of the Bill states that it proposes (1) to amend the Midwives Acts, 1902 and 1918, and (2) to provide for the registration of maternity homes.

The principal amendment of the Midwives Act proposed is for the purpose of securing that uncertified women (save in cases of sudden or urgent necessity) shall not be allowed to attend women in childbirth otherwise than under the direction and personal supervision of a qualified medical practitioner. The Midwives Act, 1902, provides that an uncertified woman shall not attend women in childbirth "habitually and for gain."

The Bill provides that compensation shall be paid to midwives who, by reason of infection or otherwise, are temporarily suspended from practice through no fault of their own. Such compensation at present is permissive. It also authorises Local Supervising Authorities to make arrangements whereby an expectant mother may insure against the possible liability for the fee of the doctor, whom it may become the duty of the midwife attending her to call in in case of emergency. It also provides for the payment of a small annual fee to the Central Midwives Board, not exceeding 2s. 6d., by each midwife who desires her name to be retained on the Roll of Midwives.

Part II of the Bill provides for the registration and inspection of maternity homes on the lines already conferred upon Local Supervising Authorities in London, Middlesex, Liverpool, Manchester, Leeds, and other areas by local Acts.

Comments on Memorandum.

It must be noted that it is proposed to deal with the Registration of Nursing Homes in a Bill to amend the Midwives' Acts, which at present deal solely with certified midwives and the regulation of their conditions of training, discipline, and work. It is a new and, in our view, an entirely wrong principle.

The Registration of Maternity Homes, as the Memorandum indicates, is a matter for the Local Supervising Authorities, and should be dealt with in a different Bill. It is apparently intended, though it is not definitely stated, that the first part of the Act shall be administered by the Central Midwives Board, and the second part by Local Supervising Authorities.

If this is so it must be pointed out that the only financial provision in the second part of the Bill is that "Application for registration shall be made to the Local Supervising Authority in writing in the form prescribed by the Minister

of Health, and shall be accompanied by a fee of five shillings." We very much doubt whether a fee of five shillings paid by proprietors of Homes will cover the cost of administration of Part II of the Act, including salaries of inspectors, expenses of prosecution, &c. If not, who is to find the money? Is it intended that the Central Midwives Board shall do so, from the fees paid by midwives?

Furthermore, at the present time, a Select Committee of the House of Commons, under the chairmanship of Sir Cyril Cobb, is inquiring into the question of the inspection and supervision of Nursing Homes, and is ordered to report what legislation, if any, is necessary or desirable for this purpose.

A Home for the reception of maternity cases is a Nursing Home just as much as any other, and it does not appear to be in order to promote legislation for the registration of Nursing Homes for maternity patients while the whole question is under the consideration of Parliament.

In any case Part II of the Midwives and Maternity Homes Bill should be deleted, and Maternity Homes registered, if such registration is considered desirable, under a Nursing Homes (Registration) Act in common with others.

PART I.

Clause 1 (2) is as follows:—

"Any person not being certified under this Act, who attends a woman in childbirth otherwise than under the direction and personal supervision of a duly qualified medical practitioner shall, unless that person satisfies the court that the attention was given in a case of sudden or urgent necessity, be liable on summary conviction to a fine not exceeding ten pounds."

We prefer the amendment drafted by the Central Midwives Board and sent to the Minister of Health, asking him "to provide in the Bill amending the Midwives Acts for the amendment of Section 1, subsection 2, of the Midwives Act, 1902, by the addition of the following Clauses:—

"1.—Any unqualified person rendering assistance to a woman in childbirth in a case of emergency shall, without delay, summon a qualified medical practitioner or a midwife to the case.

"2.—Any person failing to comply with the foregoing clause shall be liable on summary conviction to a fine not exceeding five pounds."

But even this does not entirely protect maternity patients from unqualified women.

Clause 2 (1).—By this Clause the power of the Central Midwives Board is made obligatory, instead of permissive as at present, to direct a Local Supervising Authority to pay to a midwife who has been suspended from practice by such an authority, through no default of her own, such sum, by way of compensation, as seems just to the Board.

Subsection (2) of this Clause provides for a limit to the time in which a Medical Practitioner, called in to assist a midwife in case of emergency, shall submit his claim, *i.e.*, within two months from the date on which he was called in.

Subsection (3) defines arrangements which may be made by pregnant women with Local Supervising Authorities to insure against their liability, in the event of a medical practitioner called in to the assistance of a midwife under Section 14 of the Midwives' Act, 1918. Such arrangements do not come under the control of the Central Midwives Board, and should be deleted from this part of the Bill.

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