

# The Midwife.

## THE MIDWIVES ACT, 1936.

### THE MIDWIVES ACTS AMENDMENT BILL IN THE HOUSE OF LORDS.

Since our last issue the Midwives Acts Amendment Bill has been introduced in the House of Lords, passed its Second Reading, through the Committee and Report stages, and had its Third Reading. Although there has been considerable discussion at various stages, and a number of Amendments were moved, these have been withdrawn after explanations from Viscount Gage, who was in charge of the Bill, and it has emerged from the House of Lords much as it went into it.

The ultimate responsibility of seeing that certain standards of requirements are carried out remains with the supervising authorities, but a large measure of elasticity is given to them as to how these shall be brought about, and it is noticeable that much tenderness, and even certain preferential treatment is extended to the voluntary nursing associations.

In his explanatory introduction to the Bill Viscount Gage stated that the position of the welfare councils and the voluntary organisations "is statutorily safeguarded, and they are given the right of appeal to the Minister if they consider their claims have been ignored. It is felt by my right honourable friend, the Minister, that where possible it is preferable, where services have to be extended, that this extension of services should take place by an extension of the scope of existing voluntary schemes, and that only where this is not possible should the supervising authority engage the new midwives themselves.

"To summarise, the *status* and security of the midwives will be raised, the mother will get a greatly improved service, and the supervising authorities will be assisted financially to bring this about, while the position of the voluntary associations, as I have already stressed, will be safeguarded."

Viscount Mersey drew attention to Clause 6 of the Bill which says in effect that no woman other than a certified midwife or a State Registered Nurse should attend a woman in childbirth, and said that his advisers informed him that the State Registered Nurse had not really got the qualifications necessary for a maternity case, and that they were given no teaching of this nature in their general training and were, therefore, quite unfit to act as maternity nurses.

[We may point out that candidates for the State certificate of general nursing of the General Nursing Council for England and Wales are required to give evidence of knowledge of the reproductive system, of gynaecology, and gynaecological nursing, and of ante-natal and post-natal care. Further it was most essential that Clause 6, exempting Nurses registered on the General Part of the Register of Nurses required to be kept under the Nurses' Registration Act, 1919, should be incorporated in the Bill, otherwise whatever complications might arise during the ten days immediately after childbirth—for example acute pneumonia or pleurisy—a State Registered Nurse could not attend the patient without being liable to a fine of ten pounds, and the patient might be left to the care of a midwife with no knowledge of general nursing.—Ed.]

Lord Aberdare moved an amendment providing that notice should be given to midwives practising in parts of the area of the authority to be served, by the welfare council or voluntary organisation, as the case may be, stating the salary and other conditions of service of midwives to be employed by such welfare council or voluntary

organisation (as is the case in regard to the local supervising authorities).

The Earl of Listowel said that in the case of voluntary associations, with which the local authorities were asked to co-operate, a situation might arise in which, finding themselves with very little money, they would be obliged against their instincts, to offer a very low salary to the midwives they engaged. There was no protection for midwives under the Bill as it stands, either if employed by the local authority or by a voluntary organisation.

In reply Viscount Gage claimed that the object of requiring the local supervising authorities to advertise and notify to midwives, was to safeguard the interests of the independent midwives, from whose ranks they anticipated the local authorities would fill the gaps of the new salaried service. But when they came to the voluntary associations they anticipated that if and when the voluntary associations enlarged their scope, and took on more trained midwives, these trained midwives would also be, as a general rule, required to do other work besides that of the ordinary midwifery work. In the case of a nursing association the midwives would generally, for instance, act as district nurses. They thought that the amendment would put the voluntary organisations to considerable trouble and expense without benefit to the independent midwife.

He resisted the amendment and Lord Aberdare did not press it, and ultimately the Bill was reported without amendment.

The Earl of Onslow who expressed great interest in the Bill during the Committee stage took the unusual course of leaving the Chair in order to ask what would happen if a young woman who married and took her compensation, who was also a trained nurse, became a widow. She would still be able to resume practice as a nurse, but would she be debarred from practising as a midwife? Viscount Gage's answer was in the affirmative.

Lord Aberdare, in the Committee stage, at the request of the Joint Council of Midwifery raised the question of "allowing the maternity nurses to get the same amount of inspection as midwives." At the conclusion of the Third Reading, however, he stated that he had been able to be present at a Conference at the Ministry of Health, and he now understood that the position of the maternity nurse was rather different from that of the midwife in that she was essentially under the authority of the doctor.

The Bill was then read a third time and passed, and received the Royal Assent on July 31st.

The Act will certainly benefit and protect women in childbirth. In relation to general nursing, neither the interests of the sick poor nor the Registered Nurses are protected. As above reported the Government spokesman (Viscount Gage) stated that the position of the welfare councils and of the voluntary organisations are "statutorily safeguarded" and later that "in the case of a nursing association the midwives will generally act as district nurses."

Under the new Act, therefore, women who are not required to hold the State qualification in nursing will be made available by the Government for the care of the sick poor in rural districts, to the inevitable exclusion of the State Registered Nurse.

The passage of the new Midwives Act through Parliament demonstrates the need for State Registered Nurses as Members of the House of Commons to place before the House an expert opinion on nursing matters.

[previous page](#)

[next page](#)