

Free birthing

Free or unassisted birth means a woman giving birth without medical or professional help. In Britain where its popularity is growing, it is legal as long as the birth is not attended or the responsibility for care is assumed or undertaken by an unqualified individual. An unqualified individual is a person who is not a registered doctor or midwife but acts in that capacity during birth. The woman assumes responsibility for her birth, but she may and can have her partner, relative or friend present in a supportive role. A midwife has no right to be at a baby's birth and if a woman chooses not to contact or engage a midwife that is her right to do so.

Attendance by unqualified persons at childbirth

The Nursing and Midwifery Order 2001, Part 9 Article 44 explains that it is illegal for an unqualified person to undertake the role of a registered midwife. Article 45 further explains that no person other than a registered midwife or a registered medical practitioner shall attend a woman in childbirth (assume responsibility) unless in an emergency or in supported recognised training.

An unqualified person is an individual who gives medical or midwifery care but may not lawfully do so. This unqualified person may include a non registered midwife, doula, nurse, the partner, relative or a friend who is not a registered midwife or registered doctor. They may be present during childbirth but must not assume responsibility, assist or assume the role of the medical practitioner or registered midwife or give midwifery or medical care in childbirth. This is unlawful and may incur sanctions and a conviction. If you suspect an unqualified person has acted illegally you should inform a Supervisor of Midwives, your employer or line manager for additional support.

Midwife's role

If a woman decides to plan and implement a free birth event, she will assume responsibility and will decide not to call or be attended by a qualified person. It is possible that a registered midwife may be called prior, during or after completion of this unassisted birthing event. The midwife must respect the woman's choice with unassisted birthing, be empathetic and adhere to the Nursing and Midwifery Council's (NMC) code of conduct, the NMC midwives rules and standards and not be critical of this choice or outcome. The midwife should support the woman and her family.

If the birth has not occurred, any benefits, risks or concerns should be discussed with the woman and documented. It is possible that the woman and her family may or may not have engaged with maternity services. This service should be offered but you should respect the woman's decision if she chooses otherwise. If you are concerned with the mother's physical or psychological wellbeing, mental capacity or safety you should immediately inform your line manager and a Supervisor of Midwives.

If you are summoned during labour or birth, all remaining care should be performed, findings documented and emergency help requested if needed. Further care may include third stage and perineal management. If child protection or safeguarding concerns are an issue you must inform your employer, child protection lead and Supervisor of Midwives as per national and local policy.

After the birth, you should leave the woman and her baby safe and secure with the offer of further care and give information on how to access further help and advice. You should inform the mother of the need to register the birth within 42 days, in England, Wales and Northern Ireland, and within 21 days in Scotland and inform the registrar with a birth notification form, even if you were not present at the birth. You should inform the GP and health visitor and engage any other support agencies if required. It is important to complete your records, inform a Supervisor of Midwives, the Local Supervising Authority and your employer of any free birthing event as they can support you and the family if required.

Further information

- The Code Standards of conduct, performance and ethics for nurses and midwives (2008)
- The NMC Midwives rules and standards (2004)
- NMC advice sheet on Accountability