

# Your rights in maternity care

Birthrights is the charity dedicated to improving maternity care through a focus on human rights. We are passionate about the need for change in maternity services to ensure ALL women receive care that keeps them and their babies physically, psychologically, socially, culturally and spiritually safe.

Whilst the likelihood of anything bad happening to you or your baby is very small, research shows that black women are 5x more likely to die than white women during pregnancy, birth and the following six weeks. The reasons for this disparity are complex and not well understood. However the fact that black women (as well as women from other minoritised groups) do not always feel listened to or respected during their maternity care is a factor that can't be ignored. For this reason, this factsheet aims to equip you with some introductory knowledge about your rights, enshrined in law, to be treated with dignity and respect, to be listened to and supported to make informed choices and to have those choices respected. You can find more information on our website at [www.birthrights.org.uk](http://www.birthrights.org.uk)

## Remember:

### YOU CAN ALWAYS SAY NO

This applies to ANY to any intervention, procedure, treatment, or medication and applies equally to people who are pregnant as to anyone else. In law a fetus has no legal rights separate from its mother until it is born and there are precedents in UK law that make it very clear that a woman who has the ability to make decisions for herself can always say no even if her decision may lead to serious harm or even the death of herself or her baby. Therefore if a doctor or midwife proposes something and you take a different view about what is best for you and your baby, you are absolutely entitled to decline it, and your decision must be respected.

### YOUR MATERNITY PROVIDER SHOULD ALWAYS START FROM YES

If you make a request of your provider, the Trust/Board must try their best to meet your request and only say no if they can give a good reason for doing so. The fact that it is "outside of guidelines" is not a good enough reason. The Trust/Board must show that they have looked at the pros and the cons for you as an individual, not just applied a blanket policy. Therefore if you want to give birth at home or in a midwife-led birth centre even if you have a more complicated pregnancy, or want to have multiple birth partners, or want an elective caesarean, and you meet resistance, push your maternity care provider to support your request or give you a proper, evidence-based reason for why they can't.

### IN LAW, THE ROLE OF A HEALTHCARE PROFESSIONAL IS TO SUPPORT YOU TO MAKE INFORMED DECISIONS

The law says you need to be provided with balanced, evidence-based and up to date information about any recommended option and any reasonable alternatives. You should also have the opportunity to have a two-way dialogue and to have your questions answered in order to make an informed decision. If you do not feel this is your experience, do ask for more information, more time if you do not feel ready to make a decision, or to speak to another healthcare professional if you do not feel that you are being heard. Remember the role of the midwife or doctor is to help you to make a decision NOT to make the decision on your behalf. The BRAIN acronym can be useful to bear in mind:

### **Benefits**

What are the benefits of making this decision?

### **Risks**

What are the risks associated with this decision?

### **Alternatives**

Are there alternatives? If so, what are they?

### **Intuition**

What does my gut say?

### **Nothing**

What if I do nothing or wait it out?

## **IF YOU AREN'T TREATED WITH DIGNITY AND RESPECT, TELL SOMEONE**

You deserve to be treated with dignity and respect throughout your maternity care. If at any stage you feel that you haven't been treated in the way you deserve to be treated, first of all please look after yourself and make sure you talk to someone you trust.

Hard as it will be, especially with a new baby, please also consider raising it with your care provider in some way. This can be through the birth reflections service, or by making an informal or formal complaint via the Patient Advisory and Liaison Service (PALS) and/ or you can raise it with your local Maternity Voices Partnership (which should have a service user chair and brings together service users, staff, and commissioners with the aim of improving maternity services). We know that mechanisms for reaching out to women are under-resourced and imperfect. However the starting point for providers improving their service is hearing feedback on matters small to large from a diverse range of service users and their families.

If you would like further information please see our website [www.birthrights.org.uk](http://www.birthrights.org.uk) or if you would like further individualised support please feel free to email us at [advice@birthrights.org.uk](mailto:advice@birthrights.org.uk)