

**Advice by midwife during pregnancy
(12HDC01097, 26 May 2014)**

Midwife ~ Back-up lead maternity carer ~ Overdue ~ Fetal growth ~ Fetal movements ~ Advice ~ Right 4(1)

A 34 year old woman was pregnant with her first child. In the final two months of her pregnancy the woman had five growth scans due to concerns regarding the growth rate of her baby. On four occasions the results of the growth scans were normal, but on one occasion the result indicated that her baby's growth was not progressing at a steady rate.

At approximately 41 weeks gestation, two cardiotocographs (CTGs) were performed to assess the baby's heartbeat. The results of both CTGs were normal.

At approximately 41 weeks plus two days' gestation, the woman had an assessment by an obstetrician and was subsequently booked in for an induction three days later. Also that day the woman's LMC handed over care of the woman to a back-up midwife, as she was not going to be available for the next two days.

At approximately 4am the day before the woman was due to be induced, she telephoned the back-up midwife to discuss her concern that she had not felt her baby move at any time the previous day, or that morning. The back-up midwife advised the woman to go back to bed, to have an early breakfast in the morning, and to call her back afterwards if she still had not felt the baby move. The woman telephoned the back-up midwife after she had had her breakfast and advised her that she still had not felt her baby move. The woman and the back-up midwife arranged to meet at the hospital at approximately 10.30am.

On examination by the on-call consultant at the hospital, the woman was advised that her baby had died. The woman gave birth to a stillborn baby boy the following day.

It was held that the advice the back-up midwife gave to the woman regarding lack of fetal movements was inappropriate, particularly given the woman's additional risk factors regarding concerns about the baby's growth and the fact that the woman was overdue. The standard of care provided by the back-up midwife to the woman was a severe departure from expected standards and in breach of Right 4(1).

The back-up midwife was referred to the Director of Proceedings, who decided not to issue proceedings.