

**Midwife breaches Code in care of woman experiencing first labour
20HDC00021**

The Deputy Health and Disability Commissioner has found a midwife breached the Code of Health and Disability Services Consumers' Rights (the Code) in her care of a woman who was experiencing her first labour.

The woman, who was close to full term, was home alone at the time. She had gone into labour and contacted the midwife seeking advice about her contractions. The midwife communicated with, and assessed, the woman via text but did not visit her until 17 hours later. By this time the woman was close to giving birth.

The woman went on to deliver a healthy baby boy by vaginal birth, but was to experience complications after the birth. She complained about the lack of care provided by the midwife before, during and after her labour. The woman said she felt unsupported by the midwife and her labour experience and subsequent illness were 'unsettling and traumatic.'

Deputy Commissioner Rose Wall said "Ms A did not receive the standard of midwifery care, support and information she was entitled to during her labour and over the following 24 hours in hospital after the delivery."

She found the midwife breached Right 4 (1) of the Code by failing to provide services to the woman with the standard of care, support and information she was entitled to during her labour and in the immediate 24 hours after delivery.

The midwife also breached Right 4(2) by failing to appropriately document relevant information.

The Code breaches centred on the midwife not providing appropriate or sufficient information or communication about the progress of labour or pain relief options available to the woman.

Ms Wall said the findings highlight the importance of midwives providing individualised care in partnership with women, and of adequate documentation.

The midwife, who is not currently practising, confirmed she has completed a midwives record keeping course, began to work online and has adopted a more sustainable working arrangement.

Ms Wall has recommended the midwife provide a written apology to the woman. She has also recommended that the Midwifery Council consider the findings from this case should the midwife apply to return to practice in the future.

12 June 2023

Editor's notes

The full report of this case will be available on HDC's [website](#). Names have been removed from the report to protect privacy of the individuals involved in this case.

The Commissioner will usually name providers and public hospitals found in breach of the Code, unless it would not be in the public interest, or would unfairly compromise the privacy interests of an individual provider or a consumer.

More information for the media, including HDC's naming policy and why we don't comment on complaints, can be found on our website [here](#).

HDC promotes and protects the rights of people using health and disability services as set out in the [Code of Health and Disability Services Consumers' Rights](#) (the Code).

In 2021/22 HDC made 402 recommendations for quality improvement and providers complied with 98% of those recommendation.

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