

Nurses and midwives

Standards and guidance

Standards and guidance in development

Midwifery regulation

Regulation in practice

- Medicines management and prescribing
- **Regulation in Practice Topics**
- Safeguarding
- Specialist Community Public Health Nursing (SCPHN)

Information for those whose conduct is under investigation

Health visitor recruitment

Other sources of information

Have you signed up for the NMC newsletter?

[Home](#) > [Nurses and midwives](#) > [Regulation in practice](#) > [Regulation in Practice Topics](#) > [Free birthing](#)

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 it 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. The midwife must respect the woman's choice to have an unassisted birth and if called prior to, during or after completion of the birth, the midwife should adhere to the Nursing and Midwifery Council (NMC) The code and the Midwives rules and Standards (NMC 2004).

If a midwife is called and 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 and whilst this service should be offered the woman may choose to decline and her decision should be respected. Should you have any concerns in relation to the mothers physical or psychological wellbeing, mental capacity or safety you should refer to the appropriate professional and 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.

Further information

- [The code: Standards of conduct, performance and ethics for nurses and midwives \(2008\)](#) [PDF]
- [Midwives rules and standards \(2004\)](#) [PDF]
- [Regulation in practice](#)

This information was updated May 2012.