AIMS For a better birth...

Forced Caesareans

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The article Bullying by Cour t Application by Jo Murphy- Lawless in AIMS Journal Vol 25 No 1 raised a few eyebrows. The article describes the situation in Ireland in March 2013 where a Court Order was sought to force a woman to undergo a repeat caesarean when she wanted a VBAC, where even a two day delay to wait for her husband to return from a military posting overseas was unacceptable to the obstetric teams. Unfortunately there was no ruling made, as whilst the emergency court was in session (on a Saturday) the woman succumbed to the bullying and the caesarean went ahead. AIMS cannot use the words consented or allowed, because clearly this was not a situation of informed consent or informed decision making.

Practitioners in the UK sucked their teeth and said thankfully that does not happen in England. Sadly they were wrong, as in early December the story broke that in August 2012 an Italian woman, Allesandra Pacchieri, was indeed forced by Court Order into a repeat caesarean when she wanted a VBAC, this time using the Mental Health Act to argue that she could not understand the issues or the danger of VBAC. This is closely followed by the ruling on 11 December 2013 that a Bangladeshi woman, known as Mrs P, should be induced 'immediately' at 35 - 37 weeks pregnant and should the doctors deem it necessary she should be subjected to a caesarean without her consent. Mrs P is also detained under the mental health act, and is also wishing to have a VBAC.

Regardless of understanding of mental capacity or the law on consent to treatment, in each of these cases the obstetric teams appear to have have lied in court about the danger of rupture presented by VBAC. Judges should not need to be experts on obstetric statistics, but if they are not to be used as instruments of oppression they are going to have to open their eyes. Far from the 'risk of death to mother and child' cited in each of these cases, the figure for maternal death from VBAC rupture is 1 in 2,291,493. (Saving Mothers' Lives, CMACE 2011)

How much longer are Judges going to be taken in by mis-informed, ignorant or lying doctors?

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