AIMS For a better birth...

In Search of Justice

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Ever since my daughter was born, I had this inner knowing that things happened at her birth that were not right. I was aware that I had rights and choices but not only were they not respected but my birth preferences were deliberately dismissed in favour of hospital protocols that didn't make much sense to me. I tried my best to move on but just could not stay on top of the feeling of injustice. I felt I had to do something about it but was not sure what or where to start.

I felt rattled by the sight of authority since the birth. I used to feel safe in their presence. I thought it was bizarre but it probably makes sense as I was harmed in the hands of medical authority. Something in my subconscious was reminding me that authority is dangerous, be careful. My subconscious didn't quite understand that my surroundings have changed. I felt I could not sit with this fear and sense of injustice any longer or let it run my life. I was told I have rights. People who had their wallets stolen can report it to the police. Why not me, when my dignity and human rights were robbed? They are more important than a credit card and a few pounds. I decided that I would go and report my birth abuse to the police.

At the time I had already written up what happened and checked it against my maternity notes. Luckily, I had a doula at the birth who continued to support me so I talked with her about what I remembered just to make sure it was not my imagination. Traumatic memory is so vivid, visually and in texture that it was replaying in my mind and body for months. She confirmed that it was exactly what happened. I felt relieved because I had doubts in my head for a while that maybe it was me being negative and desperately hoping that things hadn't happened the way that they did because acknowledging what happened means I felt I needed to do something about it. What I experienced was violence, I was a victim. I didn't want to be a victim but I had no choice. It was what happened to me.

I told my doula I wanted to report it to the police because I felt how the midwives treated me was criminal and didn't want what happened to me to happen to other women. I asked her if she would accompany me. She said yes without hesitation. It really helped me to feel supported and not alone. We decided on a day and time. I tried not to think about it and to not expect anything. I didn't know what to expect anyway.

It had been over a year since the birth. I was still not able to talk about my birth without breaking down in tears. I brought along a detailed written statement just in case. We arrived at our local police station in

the evening. It was quiet and the air was crisp. As we walked in, we were told to take a seat. My doula asked me how I was feeling. I felt relaxed as I was just going to tell them what happened.

Five minutes later, I was called up. The duty officer asked me to tell her briefly what I wanted to report, when and who were involved. Suddenly, I felt overwhelmed, I didn't know where to start, whether to tell her how I was coerced into a vaginal exam, how my gas and air was taken away and my request for it back was repeatedly declined and how it made me feel like a dying animal on the roadside, how I was restrained, ended up with a horrendous vaginal tear or how I was given synthetic oxytocin without being told and against my birth plan. "Briefly", how?! I tried my best to describe the assaults in a few sentences before tears began rolling down my face. I requested that if possible I would like to speak to a female officer because of the sensitive nature of the incident. She said she would try to but they didn't work like that. I could either talk to whoever was on duty or make an appointment to come back again. I said that was fine as I would like to make the report that night.

Ten minutes passed that felt like eternity. We were invited by a police officer to go through the security doors into a small interview room with a recording device. He asked me to explain what happened. I got out my written statement. He said kindly that if it was easier that he could just read through what I had written. I handed over my papers. He patiently read through every sentence I wrote from the beginning to the end.

He looked up and said that unfortunately it was a medical matter so it was not something the police would investigate. I didn't quite understand because it was an assault that happened in medical setting but still an assault. He said because as police officers, they were not trained in the medical aspects, they could not investigate the matter. Because the birth was over a year ago there was nothing he could do. Then it dawned on me that when a birth is medicalised it takes place within an institution and is transformed into a medical matter that the police feel means that law enforcement doesn't apply. Nor was it taken seriously. It didn't feel right.

I was not happy with the response and wanted to understand more, so I asked under what circumstances would the police investigate. He said because it would be considered common assault at best, it has to be reported within 6 months of the incident for them to take action. What?! How is coercion into vaginal exam, someone penetrating my vagina with their hands, only considered a common assault? Why was it not a sexual assault as it involved violation of my private parts and still affects my sexual relations? Then came the raw realisation that the law does not recognise women birthing as being in a sexual state nor the violation of our private parts as having sexual health implications. The law does not understand birth. I felt angry, not understood and not protected.

However, it was not the police officer's fault. He was apologetic about being unable to take any further action and he suggested that I could make a complaint to the hospital or to the CQC (Care Quality Commission) or PHSO (Parliamentary Health Services Ombudsman). I said that I felt there was no point complaining to the hospital as their staff were the ones that carried out the assault. It was unlikely they would own up to it. Why would you ask offenders to investigate their own wrong doing?! It would just be

a call to cover their own tracks. It was clear that it was not something the police want to get involved in. This conversation would not achieve anything. We asked for the name of the officer and the police reference number and left.

Did I feel let down by the law and the police? Yes, absolutely! I felt better for having told them my story and learned the truth, the reality of how women are not really protected when accessing medical facilities when giving birth. I think it extends to outside maternity services too. It was a difficult lesson. The anxiety that women feel after experiencing birth abuses is justified. A medical system that does not listen to or respect women and their bodies is not safety. We feel anxious when we do not feel safe.

So, why should women consider reporting their birth assault to the police? It's like the #metoo movement. If lots of us make our experience heard, it cannot be ignored. It took a long time for domestic violence to be recognised as a criminal offence. It will take yet more effort to have obstetric violence be recognised legally. If every woman takes a secret recording device into the birth room it will not take long for people to see that when women are not listened to and their body autonomy is not respected, what is done to them is violence. Violence in the birth room is so normalised, just watch One Born Every Minute. It will take lots of women speaking out, making complaints to change the culture.

If we all turn up to our local police station to report the abuses we experienced accessing health services during pregnancy and while giving birth there will be a long queue of us. It's a way to recognise the violence and the reality of how women are not being listened to and respected by many maternity services staff and in the health system. It's very much the culture and practices that need to be addressed by the NHS to prevent substandard care and violence. The answer is respectful care, Continuity of Carer and a culture of respect and openness towards women and patients. It is within the institution's resources and power to support women properly through one of their life's most important transitions. No more excuses.

What next?

1. Write down everything you remembered, timings and presence of people. Ask your birth partner(s) to do the same.
2. Obtain a copy of your maternity notes (free under GDPR data protection regulation) from the hospital you birthed at to check the details.
3. Bring along written statements and maternity notes when you feel ready to report to the police. It may be a good idea to make an appointment.
4. Always go with someone that can support you and keep an open mind.
5. Get a police report reference number and the name of the officer.