

birthrights

Birth partners

Who is a birth partner?

A birth partner is a person you choose to have with you during your labour, in addition to any health professionals.

Many women choose their partner, but family members and friends can be birth partners, or you can choose a professional birth partner, such as a doula. You may choose not to have a birth partner, or to have more than one, and you may wish to have different birth partners at different stages of your labour.

Right to choose your birth partner

Those caring for you should respect your choice of birth partner or partners during your labour. Article 8 of the European Convention on Human Rights protects every person's right to make choices about their private life and this includes choices about birth partners. (See our factsheet [Human Rights in Maternity Care](#).)

You should be given proper opportunities to explain who you wish to be with you during your labour. Your choices should be carefully considered by midwives and other medical staff and should not be restricted or refused unless there is a justification - a good reason - to do so in your individual case.

In order for a hospital's reason to restrict choice of birth partner to be justified, there must be a legitimate need being met by the restriction, and that restriction must be a proportionate way to meet that need. An example of a justification might be if a birth partner has previously been violent towards health professionals.

Hospital policies

Hospitals sometimes have a policy on how many birth partners are 'permitted' in the labour room, or a policy that discourages birth partners from swapping during a woman's labour. Whenever a hospital policy is applied to you, health professionals must take account of your personal needs and consider making exceptions to the policy if they are required.

Health professionals have specific obligations towards women from 'protected groups' in the [Equality Act 2010](#). These include disabled women and women from different ethnic backgrounds. Any policy on birth partners must take particular account of the needs of women in these protected groups.

Professional birth partners

You may decide to choose a professional birth partner such as a doula or an independent midwife to provide emotional support and advocacy in labour.

Doulas are birth partners who have usually received training to support women during childbirth. A doula's role is to offer physical and emotional support during labour. They are not midwives and a doula must not assume the role of a midwife. If she does so, then she could risk committing a criminal offence (see our factsheet [Unassisted Birth](#)).

Hospitals should respect your choice of a doula in the same way that they respect your choice to have a family member or another person present during your labour.

Birth partners and consenting to medical treatment

You have the right to make decisions about your treatment for yourself and a birth partner cannot give consent on your behalf, but they may help you make your wishes known by speaking up for you to health professionals.



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In an emergency, if you are unable to make your wishes known and there is time, your next of kin (who may also be a birth partner) should be involved in decisions about your care.

Birth partners can only consent to medical treatment for the baby if they also have parental responsibility. You can find a summary of parental responsibility on the [NHS Choices](#) website and in Scottish government [guidance](#).

For more information on consent, see our factsheet [Consenting to Treatment](#).

After your baby's birth

Hospitals sometimes have a policy about whether and for how long birth partners can stay with you after the birth of your baby. There may be good reasons for limiting birth partners on postnatal wards. However, those caring for you should apply the policy flexibly and sensitively to your individual circumstances.

You should be given opportunities to explain if you have particular reasons for wanting your birth partner to stay. These could include having had a c-section, or a difficult or upsetting birth, or because you need help with breast-feeding.

Hospital staff should take your wishes and individual circumstances into account and they should make an exception to the general policy unless there is a good reason not to do so. If there are ways to accommodate your request, such as providing a room off the ward, these should be considered.

Disclaimer: Our factsheets provide information about the law in the UK. The information is correct at the time of writing (April 2017). The law in this area may be subject to change. Birthrights cannot be held responsible if changes to the law outdate this publication. Birthrights accepts no responsibility for loss which may arise from reliance on information contained in this factsheet.

