
*Protecting human rights
in childbirth*

Impact report 2018-19



Foreword

Over the past year, Birthrights has continued to use a human rights approach to achieve social justice aims across our three strategic goals:

- to empower and support women to know and advocate for their rights through free advice and resources, reaching those most at risk through our partnerships;
- to change culture and practice in maternity care through training for healthcare professionals and other caregivers; and
- to change policy and systems through research, influencing, campaigns and legal interventions

We are proud that our small charity has supported more women and trained more healthcare professionals than ever before, while achieving positive changes to maternity policy and practice. A key priority for 2018-19 has been increasing our focus on women most at risk of poor quality, disrespectful or unsafe care that fails to respect their human rights. We have now established a deep and credible evidence base on disability, disadvantage and related human rights in childbirth issues, enabling us to shine a spotlight on discrimination, build more partnerships and capitalise on influencing opportunities.

Thanks to support from the Baring Foundation, Esmée Fairbairn Foundation and Trust for London, alongside many valued partners, donors and volunteers, we have grown our income, our small staff team and our core advice, training and influencing work. We have maintained our investment in delivering charitable activities, whilst increasing our

expenditure on support and governance costs, to strengthen our organisation for the future.

As this report shows, 2018-19 has seen Birthrights continue to broaden and deepen our activities, have greater impact and reach more beneficiaries than ever before. We thank all our staff, volunteers, funders and champions for the tireless support that propels our work.

With long-term and new funding in place for next year, we look forward to making even greater strides towards our vision that all women receive maternity care which protects their human rights.

**Elizabeth Prochaska, Chair
and Amy Gibbs, Chief Executive**



2018-19 in numbers

Our email advice service responded to **205** enquiries in 2018-19, an increase of 14% from 2017-18.



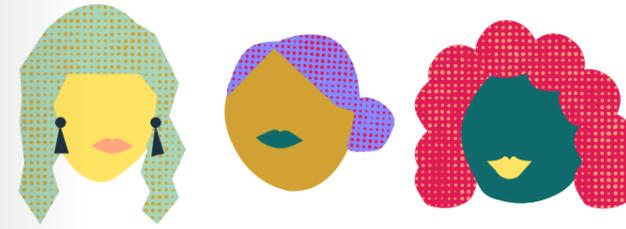
We supported **four women** who had experience of unconsented vaginal examinations to share their stories at a high-profile event, with one featured in the national media.

After our training sessions, **81% of professionals** surveyed said what they had learnt would change the way they practice.

Thousands of women, families and caregivers accessed our online information, with our factsheets webpage **viewed over 8,600 times** in 2018-19.

We interviewed **12 women** who had faced multiple disadvantage during their maternity care and **26 professionals and volunteers** who work with women with complex needs for our joint research project with Birth Companions.

We reached over **1,700** maternity care professionals and other birth supporters through training, conferences and presentations.



We launched our campaign on maternal request caesareans with a big media splash and secured **over 12 pieces of national coverage** on various topics over the year.

Our website was viewed **over 89,000** times – up from 80,000 in 2017-18 – and we grew our social media reach to **11,000 Twitter followers** and **7,500 Facebook followers**.

We pursued **legal activity with one hospital Trust**, which led to clarification they do not operate a blanket ban on maternal request caesareans and will improve their information for women.

Working with NHS England, we engaged over

120

doctors, midwives and service users to develop and test a new informed decision-making tool for childbirth.

Our policy and influencing work achieved **at least four concrete changes** to national guidance, practice standards and curriculums.



Over **90%** of our expenditure went on delivering our core charitable activities.

We secured restricted funding of **almost £100,000** and unrestricted funding of **over £40,000** bringing total income to **£140,508** – up from £115,827 in 2017-18.



Who we are

Birthrights exists because women matter during childbirth.



We are the UK's only organisation dedicated to improving women's experience of pregnancy and childbirth by promoting respect for human rights. We believe that all women are entitled to respectful maternity care that protects their fundamental rights to dignity, autonomy, privacy and equality.

We provide advice and legal information to women, train healthcare professionals to deliver rights-respecting care and campaign to change maternity policy and systems.

We were founded in 2013 by human rights barrister Elizabeth Prochaska and Rebecca Schiller, a doula and writer on birth, parenting and women's rights. Run on a voluntary basis until 2016, this year we grew to five part-time staff and our work is overseen by an expert board, including senior health professionals, policy-makers and lawyers.

Our rights-based approach

"A huge thanks for your work at Birthrights – the advice on the website has been invaluable as I prepare to welcome my second into the world after an equally beautiful/traumatic first experience."

– Caitlin, 2019

Birthrights promotes women's rights to receive evidence-based care that conforms to the best medical and midwifery standards. We do not promote any particular clinical perspectives in maternity care.

These rights are set out in the Universal Declaration of Human Rights, the Convention on the Elimination of Discrimination against Women and subsequent United Nations conventions and declarations, and the European Convention for the Protection of Human Rights and Fundamental Freedoms.

"The event has equipped me with more knowledge around maternity transformation, personalisation, choice and human rights and I feel I will be able to implement this in my own professional practice. I feel confident to talk to others and encourage or challenge."

– Training participant, East Midlands

Our vision

To ensure women receive the respect and dignity they deserve in pregnancy and childbirth.

Our mission

To become the authority on human rights in pregnancy and childbirth in the UK and use that influence to improve services and practice throughout the maternity system.

Our goals

We are a small charity with a big mission. We aim to:

- **empower and support women** to know and advocate for their rights through free advice and resources, reaching those **most at risk** through our partnerships
- **change culture and practice** in maternity care through training for healthcare professionals
- **change policy and systems** through research, influencing, campaigns and legal interventions

Our values



Dignity
Women matter.



Autonomy
We believe the maternity system doesn't work without the woman at its heart.



Humanity
Safe, quality, lawful care recognises that women deserve to be treated as individuals. We listen to them and engage with compassion.



Expertise
Our authority comes from unrivalled understanding of the legal issues in maternity care and insight into the emotional needs of women at one of the most critical moments of their lives.



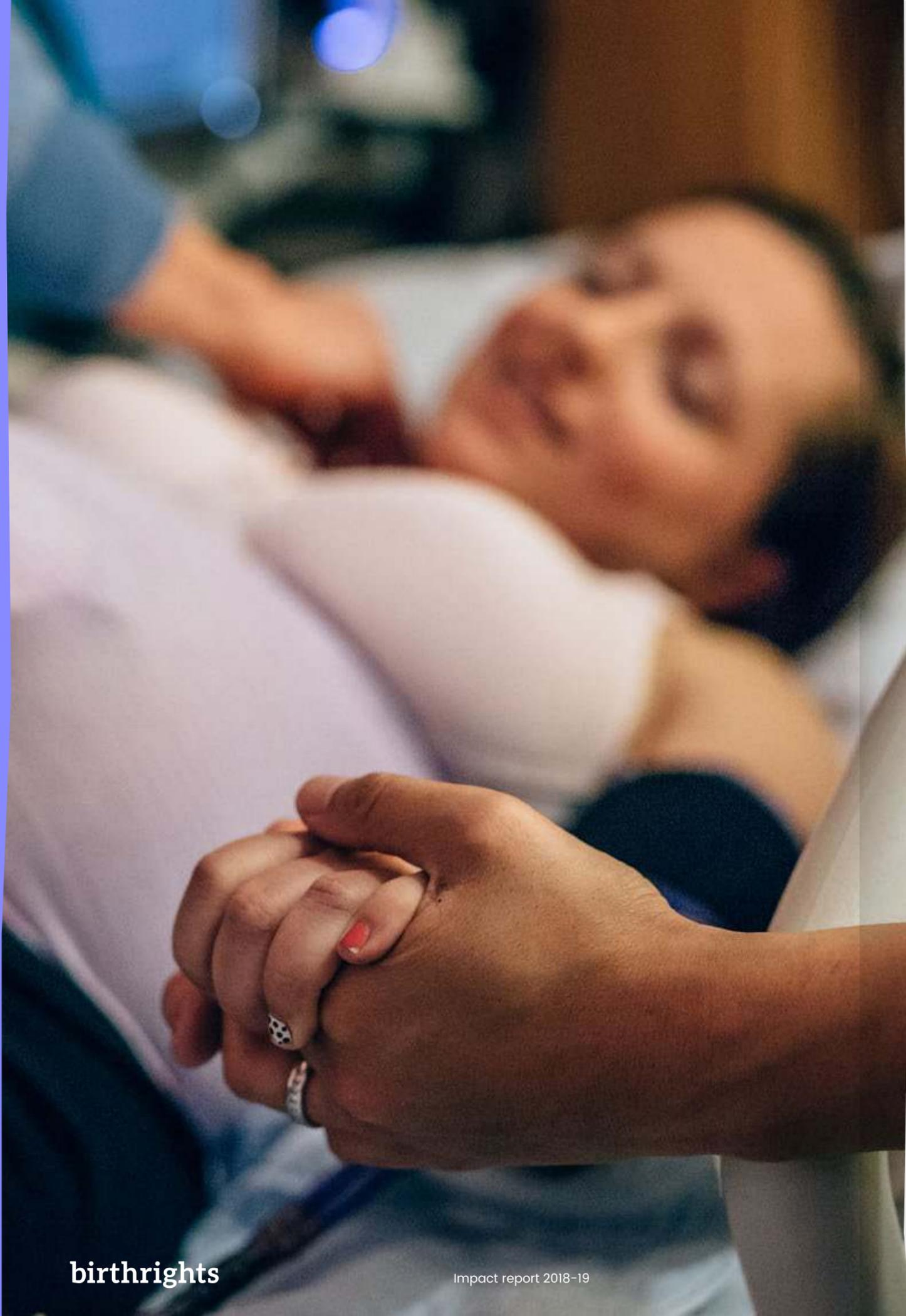
Practicality
We understand how the system works. We want to evolve attitudes and services using innovative and tangible tools and ideas.

Our impact:

Empowering and supporting women

“I am happy and relieved [to have had the birth I wanted] and want to thank you for the work you do – I had read your literature and was fully prepared to argue my rights [to a c-section] knowing there are organisations like yours out there supporting women.”

– Emma, received advice in 2019



Advice and resources

Our email advice service responded to 205 enquiries in 2018-19, compared to 180 the previous financial year – an increase of 14%. The most common primary issues raised by women were right to a caesarean and choice of place of birth.

Thousands of women, families and caregivers accessed our online resources on human rights and the law relating to pregnancy and birth, with our factsheets webpage viewed 8,661 times in 2018-19. To improve accessibility, we invested in our communications and revamped the Birthrights website and online factsheets, making them more modern, interactive and usable on mobile devices.

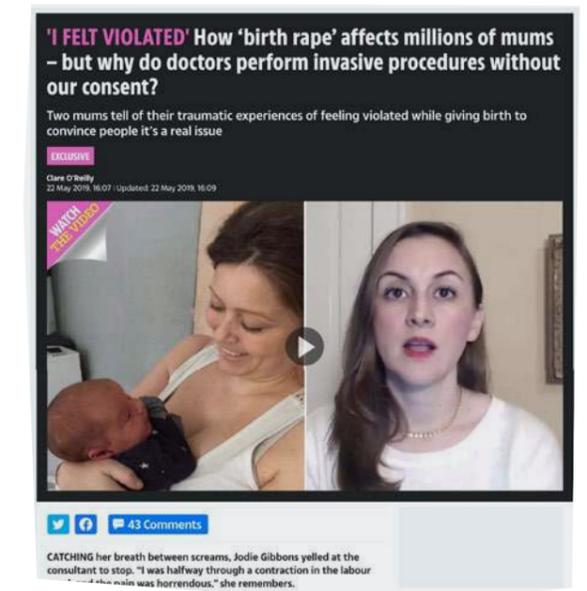
Through our partnership with Birth Companions, we have continued to facilitate human rights and legal advice for the women they support, who face severe and multiple disadvantage during pregnancy, birth and early motherhood.

Thanks to funding from the Esmée Fairbairn Foundation, we increased staff capacity to manage and develop the advice service. This has enabled us to leverage extra funding for 2019-20, to further improve the reach and accessibility of our advice and resources, particularly for women with low reading ages, cognitive or language needs.

Women's voices

This year, we have been better placed to escalate issues raised by women via our advice service to a strategic level – such as in January 2019 about the closure of Neighbourhood Midwives in Waltham Forest. We engaged directly with local NHS Trusts and commissioners to ensure women's continuity of care and birth choices were respected, receiving positive feedback from all parties about our constructive approach.

We also supported four women who had experience of unconsented vaginal examinations to share their stories with legal scholars, obstetricians and midwives at an Oxford University seminar in February 2019 – with one woman's story then featured in the national media.



Credit: The Sun

Our impact:

Changing culture and practice

“Reflecting on Birthrights course. Highly recommend to healthcare professionals working in maternity care. I have greater understanding of applying human rights, as well as tools for difficult conversations. Always remember, you may not agree with her decision, but it’s not your decision, it’s hers.”

— Josie O’Heney, Trainee Obstetrician, London



Training and education

In 2018-19, Birthrights delivered or spoke at 24 training events, including six commissioned directly by NHS Trusts, three high-profile opportunities with the Royal College of Obstetricians and Gynaecologists, student midwifery conferences and a women's rights in healthcare event run by law firm Irwin Mitchell.

Overall, we reached approximately 1,786 people during the year, with midwives making up the majority of people we train. We estimate that a third of attendees were doctors, while the 'Let's Talk Birth' conference and our Birthrights workshop in Glasgow enabled us to reach doulas, antenatal teachers and service users.

According to our evaluation in 2018-19, 81% of professionals surveyed said what they had learnt would change the way they practice. Over 90% said they felt confident putting their knowledge into practice after the training.

To support the growth of our training, in December 2018 we ran a course for 16 new Associate Trainers, made up of legal and healthcare professionals. We developed our training offer, incorporating intelligence from our advice and research work and scoping a new module on having choice conversations with women.

Curriculums and tools

We have influenced curriculum development and practice standards for midwives and contributed to new e-learning modules led by the Midwifery Unit Network at City University, London. The Nursing and Midwifery Council fed back that the strong emphasis on human rights throughout their "Future Midwife" standards is in large part due to Birthrights' work to raise the profile of respectful care.

Our engagement with the revised curriculum for doctors training to be obstetricians and gynaecologists influenced the inclusion of explicit requirements to "understand the human rights principles and legal issues surrounding informed consent and respectful care" and support autonomous decision-making by women.

We continued our work to support implementation of the landmark Montgomery v Lanarkshire Supreme Court judgement on informed consent. Throughout 2018-19, we worked closely with NHS England to develop a new informed decision-making tool, called IDECIDE, engaging over 120 doctors, midwives and service users through a series of workshops and stakeholder testing events.

Our impact:

Changing policy and systems

“You all are amazing. The report touched every aspect that needed improvement. Hopefully things will be done better and maternity services improve to the level that is acceptable and fair. Huge thanks to everyone involved. I’m pleased that I was able to take part. I noticed with delight that you didn’t miss out any issue I raised in the report.”

— Woman interviewed for joint Birthrights and Birth Companions research



Research and partnerships

In 2018-19, we continued to advocate for human rights in childbirth issues affecting all women, whilst sharpening our focus on those most at risk of poor, disrespectful or unsafe care through working in partnership. Ongoing funding from the Baring Foundation and new funding from the Esmée Fairbairn Foundation enabled us to deepen our relationship with Birth Companions, collaborate with other organisations, and invest in our research and senior influencing capacity.

A major focus has been our joint research with Birth Companions, funded by Trust for London, to explore whether the human rights of women facing multiple disadvantage are respected during pregnancy, birth and postnatal care. Overseen by an expert steering group, we conducted in-depth interviews with 12 women who had faced multiple disadvantage during their maternity care and 26 professionals and volunteers who work with women with complex needs. By April 2019, we had analysed the findings and identified areas where women's human rights to safe, appropriate and respectful maternity care were not being upheld.

We continued to promote our disability research and gave women a platform to share their experiences, for example during Autism Awareness Week. Our new research enabled us to draw out the cross-cutting nature of discrimination across disadvantage, disability, ethnicity and mental capacity, develop new partnerships, and achieve traction with stakeholders on our emerging findings.

Campaigns and legal action

We launched our biggest campaign yet on maternal request caesareans, building on concerns raised by women through our advice service.

Our Freedom of Information (FOI) requests to all NHS Trusts and Clinical Commissioning Groups in England uncovered that only 26% of Trusts offered caesareans in line with NICE best practice guidance. Throughout the year, we promoted the campaign through high-profile events and direct influencing with decision-makers and stakeholders.

We undertook focused legal activity with Oxford University Hospitals NHS Foundation Trust through pre-action letters, which led to them clarifying they do not operate a blanket ban on maternal request caesareans and committing to improving their information for women and their care pathway. We heard some intelligence from women that the situation has improved but have continued to challenge their practice via our lawyers.

The campaign led to other positive changes: one Trust rated as "red" based on our FOI request produced an excellent new leaflet co-produced with women; all three Trusts in one Local Maternity System reported they would adopt the policy of the Trust that got "green"; Trusts have implemented new policies or given women maternal request caesareans where that seemed unlikely before the campaign.

Policy influencing

We maintained our strong platform to effectively influence national maternity policy and systems, including through our seat on the Maternity Transformation Programme Stakeholder Council. We deepened our relationship with NHS England, achieving concrete change as a result – such as to the Saving Babies Lives Care Bundle version two, where the revised guidance now has a more explicit focus on women’s autonomy, choice and consent, following our direct input.

We successfully influenced NICE’s guideline on shared decision-making, securing clarity that while the process of making a decision is shared, the aim is to support the person to reach their own decision, in line with the right to autonomy.

We contributed to numerous policy consultations on topics including operative delivery, pregnancy and complex social factors, midwifery-led units and consent. We strengthened our relationships with national stakeholders such as the Care Quality Commission, General Medical Council, Nursing and Midwifery Council, Parliamentary and Health Service Ombudsman, Public Services Ombudsman for Wales, Royal College of Midwives and Royal College of Obstetricians and Gynaecologists.

Communications and media

We launched our maternal request caesarean campaign report on the BBC’s Victoria Derbyshire show and secured widespread coverage, including the front pages of the Times and Times 2, with other stories in The Express, The Guardian, Huffington Post UK, The Independent, The Telegraph and regional news outlets.



Credit: The Times

Throughout the year, we sustained our significant public and media profile with our small in-house resource, with other coverage and comment pieces in The Daily Mail, The Guardian, The Pool, The Sun, healthcare trade press and on television and radio.

Our website was viewed 89,192 times – up from 80,000 last year. Our social media reach grew to 11,000 Twitter followers and 7,500 Facebook followers by the end of March 2019.

Thanks to funding from the Baring Foundation and major donors, we invested in improving the quality and accessibility of our brand and communications, including new professional materials, printed resources, a revamped website and our first ever impact report.



Our organisation and finances

Our organisation and finances

This year we continued to prioritise organisational development and sustainable growth. Securing long-term funding from the Baring and Esmée Fairbairn Foundations was a major step forward, allowing us to recruit two new posts and invest in existing capacity over three years.

Unrestricted income was up by 25% on last year – from £32,500 to £40,758 – primarily linked to more major donors and fundraising events. Work in 2018-19 also led to new funding for future years from foundations and corporate partnerships.

We strengthened our financial processes, annual planning, line management, staff development, monitoring and evaluation, and organisational policies. Next year we will deliver an impact study to test our theory of change and strategic plan.

Birthrights is extremely grateful to everyone who has supported our work in 2018-19, including:

- The Baring Foundation
- Bindmans LLP
- Bpas – British Pregnancy Advisory Service
- Esmée Fairbairn Foundation
- 39 Essex Chambers
- Leigh Day
- NHS Trusts that commissioned training
- Three Crowns LLP
- TTP Recruitment
- Trust for London

And our generous individual donors, volunteers and anonymous supporters.

With thanks to our partner



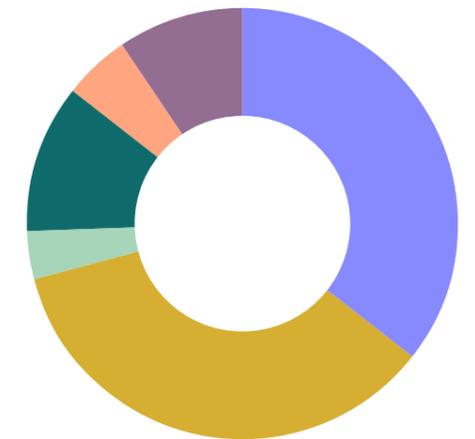
for supporting the production of this report.

Our income in 2018-19

Total income
£140,508

91% (£127,599)
Donations and grants

9% (£12,909)
Charitable activities – income from training and speaking engagements



- Esmée Fairbairn Foundation £50,000
- The Baring Foundation £49,750
- Leigh Day Corporate Event £5,067
- Donations and grants below £5,000 £15,726
- Gifts in kind - pro bono legal advice, training and room hire £7,056
- Income from charitable activities £12,909

Our expenditure in 2018-19

Total expenditure
£124,917

67% (£83,948)
Charitable activities

5% (£6,493)
Raising funds

28% (£34,476)
Support and governance

After allocation of support and governance costs (staff time), over 90% of our expenditure was on delivering charitable activities as opposed to raising funds.

At the end of 2017-18, we carried forward almost £24,000 of restricted funds from Trust for London for activity in 2018-19. At 5 April 2019, we held £81,033 total funds, of which £46,764 relates to restricted grant funds for activity in 2019-20.

At the end of 2018-19, we hold £34,269 in unrestricted reserves – a significant increase on 2017-18 and in line with our goal to cover three months operating costs.

