



Protecting human rights
in childbirth

Registered address:
Birthrights
Union House
111 New Union Street
Coventry CV1 2NT
0300 400 30 400

8th July 2020

Dear Ms Shields,

I am writing to you from the human rights in childbirth charity Birthrights, regarding the visiting restrictions in place for maternity services run by Royal Cornwall Hospitals NHS Trust, after being contacted by local service users.

Article 8 of the European Convention on Human Rights/Human Rights Act 1998 gives individuals the right to enjoy a private and family life, which is particularly important to woman and birthing people around the time they give birth. Trusts are able to restrict this right by putting in place visiting restrictions but *only* if the action taken is, and *continues to be*, a proportionate response to the legitimate aim of protecting the health of others during the current pandemic. Trusts need to take these decisions in light of their own local circumstances. We note that levels of coronavirus in Cornwall are low at present.

Not having a companion of choice during birth was rightly judged to be such a profound interference with an individual's rights that it has always been an exception in national guidance governing visiting restrictions in hospitals. However you will be aware that NHS England published updated guidance over a month ago (5th June), setting out how visiting restrictions should be eased to accommodate one visitor per in-patient, and additional birth partners where social distancing is possible. We are aware that a number of Trusts are lifting maternity service visiting restrictions in response to this guidance including: allowing visitors to attend antenatal appointments and in particular scans, welcoming visitors back on antenatal/postnatal wards including being present for induction, extending neonatal unit visiting, and facilitating more than one birth partner. We ask for your reassurance that you are aware of your obligations not to restrict individual's rights for longer than is necessary and are actively considering how you can remove visiting restrictions as soon as possible.

birthrights.org.uk
info@birthrights.org.uk
@birthrightsof
Registered charity number 1151152
Patron: Nadine Montgomery

birthrights



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We look forward to your most urgent response.

Yours sincerely,

Maria Booker
Programmes Director - Birthrights

Cc

Natalie Jones (Chief Nursing Officer, NHS Kernow)

Jessica Slater (LMS Programme Manager)

Jane Urben (Head of Midwifery)

Emma Spouse (RCHT Imaging Lead)

Helen Williams (Regional Chief Midwife)

Amanda Stratford (CEO of Healthwatch Cornwall)

Georgie Watson/Nicki Burnett (Kernow Maternity Voices Partnership)