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*Protecting human rights  
in childbirth*

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

20<sup>th</sup> January 2020

Dear Sir Ian,

I am writing to you from the human rights in childbirth charity Birthrights, to ask why Guys and St Thomas Trust is not allowing COVID positive women to have a partner with them during labour and birth when the result is known in advance, in contravention of national and international guidance.

NHS England, RCOG and RCM guidance, as well as guidance from the World Health Organisation has been clear from the outset of the pandemic that no woman or birthing person should go through labour and birth without a companion of their choice. If a pregnant individual tests positive for COVID, guidance is clear that an alternative birth partner from another household should be allowed to attend the labour and birth, including caesarean births.

Not allowing women to have any birth partner at all is highly likely to be a breach of their Article 8 rights to private and family life under the European Convention on Human Rights/Human Rights Act 1998. Whilst this right can be restricted if necessary to achieve a legitimate aim such as controlling the spread of coronavirus, the restriction **must** be proportionate.

We therefore ask you to review this policy and to bring it in line with the latest national guidance with immediate effect. If you are not able to do this, please send us a copy of the risk assessment underpinning your policy (please treat this as a freedom of information request), showing that you have considered not only the risk to staff and other patients (despite the usual mitigation strategies), but the significant impact this policy has on women and their families. Please explain why you are not testing alternative birth partners in this scenario to allay any concerns of staff. Please also explain why GSTT feels its local circumstances differ from other local Trusts to the extent that it is unable to follow national guidance on this matter.

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

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We look forward to your most urgent response.

Yours sincerely,

Maria Booker  
Programmes Director - Birthrights

Cc

Nina Khazaezadeh - Interim Hirector of Midwifery

Jan Grace - Clinical Director

Chris Barker - General Manager for womens services

Lambeth and St Thomas MVP

PALS

Kate Brintworth - Regional Midwife for London

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