

REGISTERED CHARITY NUMBER: 1151152

Birthrights
Financial Statements
For The Year Ended 5th April 2015



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BIRTHRIGHTS

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FOR THE YEAR ENDED 5th APRIL 2015

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BIRTHRIGHTS

REPORT OF THE TRUSTEES FOR THE YEAR ENDED 5th APRIL 2015

The trustees present their report with the financial statements of the charity for the year ended 5th April 2015. The trustees have adopted the provisions of the Statement of Recommended Practice (SORP) 'Accounting and Reporting by Charities' issued in March 2005.

About Birthrights

Birthrights launched in January 2013. 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.

What we do:

- We provide free, accurate and accessible legal information and advice on human rights and the law relating to childbearing women.
- We research and campaign on dignity and respectful care during pregnancy and childbirth.
- We offer advice, assistance and training to women's caregivers, professional or otherwise.

Birthrights promotes women's right 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.

Our board of experienced lawyers and maternity professionals oversees our work. We do not currently employ any staff and rely on the dedication of volunteers to provide our services.

Aims & Purposes

The aim of Birthrights is to promote the human rights of child-bearing women in England and Wales. 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.

Objectives & Activities

Birthrights is committed to:

- promoting awareness of the legal rights of child-bearing women during and connected to pregnancy, childbirth, the post-natal period (the 6 weeks subsequent to birth) and lactation;
- promoting respect for the legal rights of child-bearing women among healthcare organisations, medical and other professionals and in society at large;
- protecting the human rights of child-bearing women through the provision of legal information and advice and obtaining redress for victims of human rights abuse;
- campaigning in relation to human rights and related legal issues relating to child-bearing women;
- responding with technical advice to proposed legislation and policy affecting child-bearing women;
- providing technical advice to government and others on human rights and other legal and regulatory matters as they affect child-bearing women;
- contributing to the understanding and sound administration of human rights law as it affects child-bearing women, in particular, but not exclusively, through third-party interventions in legal cases;
- promoting the human rights and lawful treatment of child-bearing women by commissioning and conducting research;
- providing education and training to, among others, parents and parents-to-be, healthcare professionals and the public on human rights and the law as it affects child-bearing women;
- eliminating infringements of human rights of child-bearing women;
- undertaking other charitable activities that the trustees may from time to time determine to promote the human rights and legal status of childbearing women.

When planning our activities for the year, the Trustees have considered the Charity Commission's guidance on public benefit and, in particular, the specific guidance on charities for the promotion of human rights.

Achievements & Performance

We currently offer advice to women and their caregivers via our factsheets and on an individual basis via email.

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REPORT OF THE TRUSTEES Cont'd FOR THE YEAR ENDED 5th APRIL 2015

Factsheets

Our factsheets cover the following core issues: human rights in maternity care, consent, choice of place of birth, right to medical assistance (including c-sections and pain relief), right to a birth partner, unassisted birth, foreign nationals access to maternity care, social services intervention, access to maternity records and making complaints.

The factsheets are freely available on our website and are regularly downloaded.

Individual advice

Birtherights does not currently advertise an individual advice service on its website, but its co-chair, Elizabeth Prochaska, and other lawyers will provide ad hoc advice and support to women and maternity professionals who contact Birtherights by email. These women and healthcare professionals are generally provided with information about their legal position, drawing on the factsheets, and practical advice about how to approach their doctors and midwives to find a solution to their problem. When appropriate, women are referred to solicitors who can assist them with potential legal action. Birtherights has good relationships with a variety of high quality solicitors who understand the maternity context.

Birtherights is planning to provide a formal advice service staffed by volunteers and advertised on its website. It has obtained appropriate indemnity insurance from Advice UK and has begun the recruitment process for volunteers.

During its first two years, Birtherights advised over 150 women on their rights relating to informed consent, respectful treatment, ante- and post-natal care, access to pain relief, elective Caesarean section, breech birth, birth trauma, home birth, referral to social services, unassisted birth, NHS charges, breastfeeding and complaints.

The advice provided by Birtherights has ranged from email advice to supporting local solicitors challenging the decisions made by NHS Trusts and Clinical Commissioning Groups.

Birtherights has also directly advised around a dozen healthcare professionals in relation to, among other things, dealing with regulatory bodies and access for high-risk mothers to birth centres.

Litigation

In 2014, Birtherights made its first intervention in legal proceedings in the UK. In collaboration with the British Pregnancy Advisory Service (BPAS), it submitted an intervention in the case of CP v Criminal Injuries Compensation Authority in the Court of Appeal. The case concerned compensation for children born with foetal alcohol syndrome and the Court considered the scope of criminal liability for women who drink in pregnancy. Birtherights and BPAS intervened to highlight the implications of criminal liability for women's autonomy and health.

Birtherights has applied, with the non-governmental organisation Human Rights in Childbirth, to intervene in the European Court case, *Dubská v Czech Republic*, on women's right to choose where to give birth.

Education & Training

Birtherights has presented training sessions at multiple obstetric and midwifery study days around England, including at King's College London, Oxford Brookes University and Nottingham University. We have been providing triannual training on respectful care to healthcare professionals at St Thomas' Hospital London.

We are currently discussing collaborations with other healthcare training providers with a view to reaching the largest possible number of healthcare professionals.

In September 2014 Birtherights held a Royal College of Midwives accredited, low-cost study day for midwives entitled 'Fighting the Fear: Providing Positive Maternity Care in a Litigation Culture'. The event, which was sold out, covered:

- giving accurate information on how clinical negligence law can impact on midwifery
- discussing how fear around litigation can affect midwives, their practice and the women they care for
- providing positive discussion and strategies to combat the fear and confusion that our litigation culture can produce
- assertiveness training, with strategies specifically developed for midwives.

We plan to run more of these events in future after overwhelmingly positive feedback.

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REPORT OF THE TRUSTEES Cont'd **FOR THE YEAR ENDED 5th APRIL 2015**

Public Consultations

In August 2014, Birthrights trustees co-authored an open letter to the Review team alongside leading figures in maternity care addressing the importance of a human rights approach to healthcare.

Campaigns

Birthrights has contributed to a number of campaigns and statements including: the BPAS 'Back Off' campaign to create buffer zones outside abortion clinics, and the National Childbirth Trust (NCT) campaign to fund perinatal mental health services.

We have undertaken some initial work for a campaign called 'First Night' which focuses on women being able to choose a support person to stay with them on the first night after childbirth.

Research & Publications

In preparation for a possible future campaign, Birthrights has undertaken some initial research on a support person (partner/mother/friend) staying with a woman on the first night after childbirth. We have conducted an audit of current policies across maternity units in England, partly through an online survey and partly using data supplied by Which? Birth Choice. A draft review of literature related to the topic has also been conducted by a volunteer.

Elizabeth Prochaska, co-chair of Birthrights, contributed chapters to two books on childbirth: 'The Roar Behind the Silence: Why Kindness, Compassion and Respect Matter in Maternity Care' (Pinter and Martin, 2015) and 'Birthing in Contemporary Society' (Routledge, 2015).

Rebecca Schiller, co-chair of Birthrights, has written articles for the Guardian focusing on reproductive rights and the implications of criminalising drinking in pregnancy. Her e-book on women's rights in childbirth was published by Guardian Shorts in February 2015 with a percentage of profits being donated to Birthrights.

From April to June 2014, Birthrights and the Open University hosted a series of seminars on the subject of 'Birthing and Motherhood'. The seminars aimed to bring together researchers and health professionals with a view to generating research agendas on the themes of the birthing experience, early motherhood, and the concept of dignity in childbirth.

Press

Birthrights has given proactive and reactive comment in the press throughout the year, focusing on maternity care in the UK and more broadly on women's reproductive rights with a particular interest in how these impact on pregnant and birthing women.

Press releases have included our response to the Royal College of Midwives 'Pressure Points' report. We have also given extensive commentary on high-profile stories such as the new NICE Intrapartum guidelines and the proposed amendments to the Serious Crimes Bill that could have made sex-selective abortion a crime.

Birthrights and its spokespeople have been quoted often in print media in relation to childbirth rights with particularly wide-spread coverage of our joint intervention in the CP v Criminal Injuries Compensation Authority case.

Print media and online coverage has included the Observer, Guardian, Times, the Daily Mail, Daily Telegraph, The Mirror, The New Statesman, Radio and television coverage has included The Today Programme, Sky News, Channel 5 News, LBC, Radio 1. Birthrights continues to be mentioned regularly in midwifery journals and maternity healthcare professional media channels.

Our website includes a blog which is frequently updated on topical issues such as the health of pregnant migrants in the UK, the decision in the UK Supreme Court in a landmark autonomy case (Montgomery v Lanarkshire), commentary on the Kirkup Report, the proposed sex-selection abortion amendment, the implications of a European Court of Human Rights case 'Dubska v Czech Republic' and updated intrapartum guidelines from NICE.

Relationships with other Organisations

Birthrights recognises the importance of working with other organisations wherever possible to further shared aims.

Specific collaborations have included working closely with BPAS on a legal intervention (see paragraph above) and subsequently a number of joint statements. Birthrights has also applied to intervene in a case in the European Court of Human Rights with the international non-governmental organisation Human Rights in Childbirth. We have worked with Which? Birth Choice to obtain data for our potential First Night campaign.

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REPORT OF THE TRUSTEES Cont'd FOR THE YEAR ENDED 5th APRIL 2015

Birthrights meets regularly with the CEO of the Royal College of Midwives and trustees meet informally with key figures in the maternity services on a regular basis. We continue to work closely with the White Ribbon Alliance.

Financial Review

Our accounts are set out below. This financial year, Birthrights main sources of income have been:

- individual donations (£6,332) (2014 £18,170)
- the donation of legal services (£5,200) (2014 £12,810)
- the donation of IT, training and education, and other professional services (£21,450) (2014 £3,636) and
- fees from participants and stand holders attending our conferences and training days and from sponsors (£1,884) (2014 £9,154)

Our main areas of expenditure have been:

- the building and maintenance of our website and branding (£32) (2014 £2,060)
- the provision of legal advice and information on human rights and the law relating to childbearing women - to individual women, solicitors and healthcare professionals (£26,994) (2014 £10,150)
- conducting qualitative and quantitative research on dignity and respectful care during pregnancy and childbirth (£Nil) (2014 £7,944) and
- organising and hosting, together with the White Ribbon Alliance, the Dignity in Childbirth Forum in October 2013 (£16,217) (2015 £Nil)
- organising and hosting the "Fighting The Fear" study day with the Royal College of Midwives (£1,832) (2014 £nil)

Reserves Policy

It is the Trustees' policy to maintain sufficient funds to ensure the ongoing work of the charity and the causes that fit within its objectives. The trustees ensure that the reserves held are in excess of three months' standard expenditure.

Volunteers & Supporters

We would like to thank all the volunteers, individuals and organisations who have supported Birthrights over the course of this year.

Structure, Governance & Management

The method of appointment of Trustees is set out in its constitution.

During 2014 the Board of Trustees decided to widen its membership to include more healthcare professionals. Following a recruitment process, the Board was delighted to appoint four new trustees: two consultant midwives, a consultant obstetrician, and a consultant anaesthetist. Three trustees resigned between 6 April 2014 and the date this report was approved and we thank them sincerely for their service to Birthrights.

The current Trustees comprise lawyers, consultant midwives, a consultant obstetrician, a consultant anaesthetist, a doula, an accountant, and a writer with a background in the Civil Service.

The Trustees are responsible for making decisions on the management of all the affairs of Birthrights including deciding on how the funds of the charity are to be spent. The trustees have a duty to identify and review the risks to which the charity is exposed and to ensure appropriate controls are in place to provide reasonable assurance against fraud and error.

The full Board of Trustees met four times during the year with an average level of attendance (in person or by phone) of 76%.

Administrative Information

Birthrights has its registered office at 2nd Floor, 138 Portobello Road, London W11 2DZ.

Birthrights is a charitable incorporated organisation and is registered with the Charity Commission with charity number 1151152.

Trustees who have served from 6 April 2014 (unless otherwise indicated below) until the date this report was approved are:

BIRTHRIGHTS

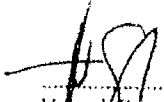
REPORT OF THE TRUSTEES Cont'd
FOR THE YEAR ENDED 5th APRIL 2015

Elizabeth Prochaska (Co-chair)
Rebecca Schiller (Co-chair) (until 25 November 2015)
Louisa Noël (Secretary) (until 27 April 2015)
Deborah Crewe (Treasurer/Secretary) (Treasurer until 15 October 2014 but continued thereafter as Trustee, Secretary from 30 April 2015)
Hannah Brewer Gray (Treasurer) (From 15 October 2014)
Kavita Chetty
Jenny Fraser (until 13 January 2015)
Julie Fröhlich (from 27 April 2015)
Carolyn Johnston (from 27 April 2015)
Shauneen Lambie
Aileen McColgan (until 27 April 2015)
Simon Mehigan (from 27 April 2015)
Helen Mountfield QC
Rincke Schram (from 27 April 2015)


Profiles of the Trustees are available on our website.

Independent examiner
CAAS
Chartered Accountants
Suite 203, Second Floor
China House
401 Edgware Road
London NW2 6GY

ON BEHALF OF THE BOARD:


.....
Hannah Brewer Gray
Trustee

Date: 16/12/2015


.....
Ms Elizabeth Prochaska
Trustee

Date: 16/12/2015

**INDEPENDENT EXAMINER'S REPORT TO THE TRUSTEES OF
BIRTHRIGHTS**

I report on the accounts for the year ended 5th April 2015 set out on pages four to nine.

Respective responsibilities of trustees and examiner

The charity's trustees are responsible for the preparation of the accounts. The charity's trustees consider that an audit is not required for this year (under Section 144(2) of the Charities Act 2011 (the 2011 Act)) and that an independent examination is required.

It is my responsibility to:

- examine the accounts under Section 145 of the 2011 Act
- to follow the procedures laid down in the General Directions given by the Charity Commission (under Section 145(5)(b) of the 2011 Act); and
- to state whether particular matters have come to my attention.

Basis of the independent examiner's report

My examination was carried out in accordance with the General Directions given by the Charity Commission. An examination includes a review of the accounting records kept by the charity and a comparison of the accounts presented with those records. It also includes consideration of any unusual items or disclosures in the accounts, and seeking explanations from you as trustees concerning any such matters. The procedures undertaken do not provide all the evidence that would be required in an audit, and consequently no opinion is given as to whether the accounts present a 'true and fair view' and the report is limited to those matters set out in the statements below.


Independent examiner's statement

In connection with my examination, no matter has come to my attention:

- (1) which gives me reasonable cause to believe that, in any material respect, the requirements
 - to keep accounting records in accordance with Section 130 of the 2011 Act; and
 - to prepare accounts which accord with the accounting records and to comply with the accounting requirements of the 2011 Act

have not been met; or

- (2) to which, in my opinion, attention should be drawn in order to enable a proper understanding of the accounts to be reached.


CAAS
Chartered Accountants
Suite 203, Second Floor
China House
401 Edgware Road
London NW2 6GY

Date: 16/2/15.....

BIRTHRIGHTS

**STATEMENT OF FINANCIAL ACTIVITIES
FOR THE YEAR ENDED 5th APRIL 2015**

	2015 Unrestricted Funds £	2015 Total Funds £	2014 Unrestricted Funds £	2014 Total Funds £
INCOMING RESOURCES				
Income resources from generated funds				
Donations	32,982	32,982	34,616	34,616
Conference/Study Days	1,884	1,884	9,154	9,154
Bank Interest	6	6	-	-
Total incoming resources	34,872	34,872	43,770	43,770
RESOURCES EXPENDED				
Direct charitable expenditure				
Donations made				
Other expenditure				
Website & branding	32	32	2,060	2,060
Registration fees	35	35	360	360
Launch party	-	-	1,000	1,000
Charges	-	-	66	66
Accountancy	600	600	600	600
Dignity conference	-	-	16,217	16,217
Fighting The Fear - Study Day	1,832	1,832	35	35
Research fees	-	-	7,944	7,944
Seminar	-	-	318	318
Legal & Professional	26,994	26,994	10,750	10,750
Total resources expended	29,493	29,493	39,350	39,350
NET INCOMING RESOURCES	5,379	5,379	4,420	4,420
Total fund brought forward	4,420	4,420	-	-
TOTAL FUNDS CARRIED FORWARD	9,799	9,799	4,420	4,420

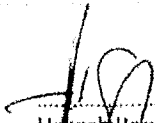
The notes form part of these financial statements

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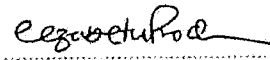
BALANCE SHEET
AT 5th APRIL 2015

	2015 Unrestricted Funds £	2015 Total Funds £	2014 Unrestricted Funds £	2014 Total Funds £
CURRENT ASSETS				
Debtors	-	-	3,129	3,129
Cash at bank and in hand	10,399	10,399	1,891	1,891
	10,399	10,399	5,020	5,020
CREDITORS				
Amounts falling due within one year	-	600	-	600
NET CURRENT ASSETS	9,799	9,799	4,420	4,420
FUNDS				
Unrestricted Fund	9,799	9,799	4,420	4,420
TOTAL FUNDS	9,799	9,799	4,420	4,420

The financial statements were approved by the Board of Trustees on 15 DECEMBER 2015 and were signed on its behalf by:


.....
Hannah Brewer Gray
Trustee

Date: 16/12/2015.....


.....
Ms Elizabeth Prochaska
Trustee

Date: 18/12/2015.....

The notes form part of these financial statements

BIRTHRIGHTS

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 5th APRIL 2015

1. ACCOUNTING POLICIES

Accounting convention

The financial statements have been prepared under the historical cost convention, and in accordance with the Financial Reporting Standard for Smaller Entities (effective April 2008), the Charities Act 2011 and the requirements of the Statement of Recommended Practice, Accounting and Reporting by Charities.

Incoming resources

All incoming resources are included on the Statement of Financial Activities when the charity is legally entitled to the income and the amount can be quantified with reasonable accuracy.

Resources expended

Expenditure is accounted for on an accruals basis and has been classified under headings that aggregate all cost related to the category. Where costs cannot be directly attributed to particular headings they have been allocated to activities on a basis consistent with the use of resources.

Tangible fixed assets

Depreciation is provided at the following annual rates in order to write off each asset over its estimated useful life.

Fixtures and fittings	- 25% on reducing balance
P.A Equipment	- 25% on reducing balance

Taxation

The charity is exempt from tax on its charitable activities.

Fund accounting

Unrestricted funds can be used in accordance with the charitable objectives at the discretion of the trustees.

Restricted funds can only be used for particular restricted purposes within the objects of the charity. Restrictions arise when specified by the donor or when funds are raised for particular restricted purposes.

Further explanation of the nature and purpose of each fund is included in the notes to the financial statements.

2. ACTIVITIES FOR GENERATING FUNDS

	2015	2014
	£	£
Outreach and Events	34,872	<u>43,770</u>

3. TRUSTEES' REMUNERATION AND BENEFITS

There were no trustees' remuneration or other benefits for the year ended 5th April 2015.

Trustees' expenses

There were no trustees' expenses paid for the year ended 5th April 2015.

4. STAFF COSTS

	2015	2014
	£	£
Wages and salaries	Nil	Nil

5. DEBTORS: AMOUNTS FALLING DUE WITHIN ONE YEAR

	2015	2014
	£	£
Other debtors	Nil	3,129

This page does not form part of the statutory financial statements

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NOTES TO THE FINANCIAL STATEMENTS - CONTINUED
FOR THE YEAR ENDED 5th APRIL 2015

6. **CREDITORS: AMOUNTS FALLING DUE WITHIN ONE YEAR**

	2015	2014
	£	£
Accrued expenses	<u>600</u>	<u>600</u>
	600	600

7. **MOVEMENT IN FUNDS**

	Net movements in funds at 05.04.15	Net movements in funds at 05.04.14 £
Unrestricted funds		
Opening Balance @ 6 th April 2014	4,420	4,420
Net Movement in Year	5,379	-
TOTAL FUNDS	<u>9,799</u>	<u>4,420</u>

Net movement in funds, included in the above are as follows:

	Incoming resources £	Resources expended £	Movement in funds £
Unrestricted funds			
General fund	34,872	29,493	5,379
TOTAL FUNDS	<u>34,872</u>	<u>29,493</u>	<u>5,379</u>

This page does not form part of the statutory financial statements