

2 Your Right to Make Your Own Decisions in Maternity Care

“What are my legal rights in maternity care?”



Throughout your pregnancy and birth, you have the right:

- To receive NHS maternity care, with no upfront charges
- To be treated with dignity and respect
- To ask questions, and make your own decisions about your maternity care
- To say ‘yes’ or ‘no’ to any examination or treatment offered
- To request a different healthcare professional
- To complain



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“What decisions might I face during pregnancy and birth?”



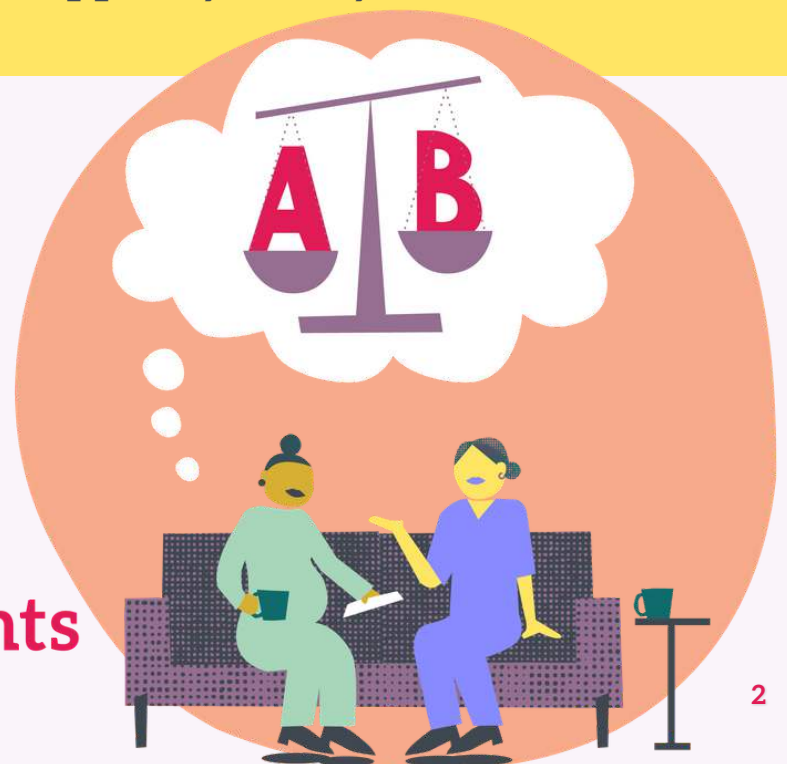
During your pregnancy and birth, you will make many decisions relating to your maternity care.

For example, you will make decisions about:

- **whether or not to accept any, some or all appointments, scans, examinations or treatments offered during your pregnancy and birth;**
- **where and how you want to birth your baby;**
- **what (if any) pain relief you want to use during your birth, and**
- **who you want to support you at your birth.**



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“What does the law say about my right to make decisions during pregnancy and birth?”

1 As the pregnant woman or person, **you are the decision maker**. It is for you, and not your healthcare provider, to decide whether to say “yes” or “no” to any appointment, scan, examination or treatment offered.*

2 Your healthcare provider must offer to have a **conversation** with you before you make your decision, **explain the important risks and benefits of the option they recommend**, and also the important risks and benefits of any **reasonable alternative options**.

3 The information **must be relevant for your individual circumstances**, and your healthcare provider should give you time to ask questions, and ensure that you understand what they have shared.

4 You must not be **pressurised or pushed by your healthcare provider to make a particular choice**.

*The only exception to this rule is where someone lacks capacity to make decisions about their care. This is extremely unusual in maternity care. The law says that it must be assumed that you have capacity to make your own decisions unless/until it can be shown that you do not. For more information about this topic, see [our ‘Mental capacity and maternity care’ Factsheet](#).

If you feel under pressure from your healthcare provider to make a particular choice, this is coercion and it is unlawful. You can read more about what coercion looks like from our [‘Understanding Coercion’ resource](#).

Sometimes, you might make a decision in advance and then later wish to change your mind. That is absolutely ok, and your healthcare provider should respect this. For example, you might decide before your labour starts that you are happy for midwives to perform routine vaginal exams, but then in labour you might decide that you do not want to be touched at all. That is absolutely ok. You can communicate to your healthcare provider that you have withdrawn your consent. This must be respected.

Other resources you may find useful for understanding your rights in maternity care:

- [‘Your Basic Birth Rights’ factsheet](#) & [‘Know Your Rights’ leaflet](#), both available in 20 different languages.
- Our [human rights information factsheets](#) on 14 different topics, including our [‘Consenting to Treatment’ factsheet](#).