

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

THE BOARD OF THE COLLEGE OF MIDWIVES OF BRITISH COLUMBIA

PETITIONER

AND:

PENNY RUVINSKY and KELLY BOX

RESPONDENTS

ORDER

BEFORE THE HONOURABLE)
)
MADAM JUSTICE HUMPHRIES) MONDAY, THE 28th DAY
) OF MAY, 2001

THE APPLICATION of the Petitioner, The Board of the College of Midwives of British Columbia, coming on for hearing at Nelson, British Columbia, on the 28th day of May, 2001, and on hearing Catharine Herb-Kelly, Counsel for the Petitioner, AND BY CONSENT:

THIS COURT ORDERS that the Respondent Kelly Box is hereby permanently prohibited and enjoined from performing the following services for the purpose of midwifery, as defined in Section 4 of the Midwives Regulation, B.C. 103/95, O.C. 269/95:

- (a) the conducting of internal vaginal examinations of women during pregnancy, labour, delivery and the postpartum period,
- (b) the management of spontaneous normal vaginal deliveries; and

- (c) the performance of episiotomies and amniotomies during labour and repair episiotomies and simple lacerations.

except when:

- (a) practising a profession, discipline or other occupation in accordance with the *Health Professions Act*, R.S.B.C. 1996, c. 183, or another Act; or
- (b) providing or giving first aid or temporary assistance to another person in case of emergency if that aid or assistance is given without gain or reward or hope of gain or reward.

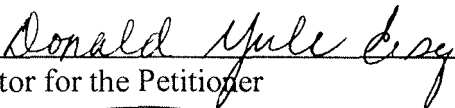
THIS COURT FURTHER ORDERS that the Respondent Kelly Box is hereby permanently prohibited and enjoined from recovering any fee or remuneration in any court in respect of the performance of services for the purposes of midwifery as outlined above;

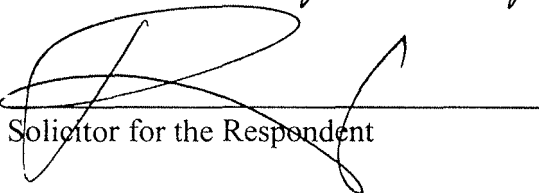
AND THIS COURT FURTHER ORDERS that the Respondent Kelly Box is hereby permanently prohibited and enjoined from using the title "Midwife" or any name, title, description or abbreviation in any manner that expresses or implies that she is a registrant or is associated with the College of Midwives of British Columbia;

AND THIS COURT FURTHER ORDERS that the Petitioner is entitled to its costs to be assessed at Scale 3.

BY THE COURT,
L ELAINE BEAULAC ¹⁰
DISTRICT REGISTRAR

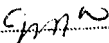
APPROVED AS TO FORM:


Solicitor for the Petitioner


Solicitor for the Respondent

ELSA DISTRICT
REGISTERED

JUN 27 2001

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