One approach would be to introduce 1 week of statutory bereavement leave when miscarriage occurs after the 12-week scan in order to soften the unjustifiable cliff edge at 24 weeks. Miscarriage risk after 12 weeks is less than 1% so this policy would be highly targeted with a less uncertain price tag.5 This smaller cohort could receive statutory bereavement pay in keeping with the Parental Bereavement (Leave and Pay) Act, easing the burden off employers.

To be sure, the many individuals experiencing first-trimester miscarriage bereavement should be informed of their existing rights. Leave following first-trimester miscarriage should be prioritised when New Zealand has published data. But whatever approach is taken with regard to early miscarriages, the cliff edge at 24 weeks is a stark injustice demanding remedy.

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