

## **Breastfeeding Not Allowed in Libraries? (Family Status Discrimination)**

*Many mothers have encountered discrimination or unpleasant experience when breastfeeding their babies in public. The EOC supports the right of nursing mothers to use facilities and enjoy services as other customers do. The issue might come under the Family Status Discrimination Ordinance (FSDO), which stipulates that it is unlawful for any persons concerned with the provision of goods, facilities or services to the public to discriminate against a person on the basis of family status as he/she seeks to obtain or use those facilities or services.*

### **◆ The Complaint**

Mrs Cheung visited a local library with her baby son. While she was breastfeeding her baby in a quiet corner, two security guards repeatedly told her to stop breastfeeding, and one of them even requested her to leave. A staff member of the library was called to the scene later, and she asked Mrs Cheung to breastfeed the baby in the female staff restroom or in the activity room, as breastfeeding was not allowed in the library. Mrs Cheung felt it was her right to breastfeed her baby and refused to leave the library area. She later lodged a complaint of family status discrimination with the EOC against the library.

### **✓ What the EOC Did**

The case was settled through fast-track conciliation. The library agreed to issue a written apology and remind its staff members of its breastfeeding guideline. The library also agreed to provide training

to its frontline staff and the contract security service team to make clear that breastfeeding in the library is permitted. A notice would be displayed in the library to inform breastfeeding users that they might seek assistance from the library staff whenever necessary.

### **Points to Note:**

- Under the FSDO, it is unlawful for a service provider to discriminate against a service user on the ground of his/her family status. "Family status" in relation to a person means the status of having responsibility for the care of an immediate family member who is related to that person by blood, marriage, adoption or affinity.
- The EOC considers complaints by breastfeeding women as family status discrimination relating to having the care of an immediate family member.
- The EOC believes that the public should respect mothers' right to breastfeeding. The EOC has been urging for the provision of more baby care facilities in the community. Service providers and property owners, including the Government, are encouraged to provide facilities such as baby care rooms for use by breastfeeding customers.