

Breastfeeding and the Equality Act 2010: Changes to the law, changes in attitudes?

Introduction

The Equality Act 2010 offers greater protection for nursing mothers, making unfavourable treatment when breastfeeding unlawful. Yet breastfeeding in public and sustaining nursing upon return to work remain key hurdles faced by mothers (Brown, 2015). Five years on, a review of the wider discourse should evidence the impact that the Equality Act 2010 has engendered and offer insight into any progress made towards normalising breastfeeding.

Methodology

A systematic literature search of academic and legal databases and non-peer reviewed tertiary sources utilised keywords: “breastfeeding” (and variants) AND “Equality Act 2010”.

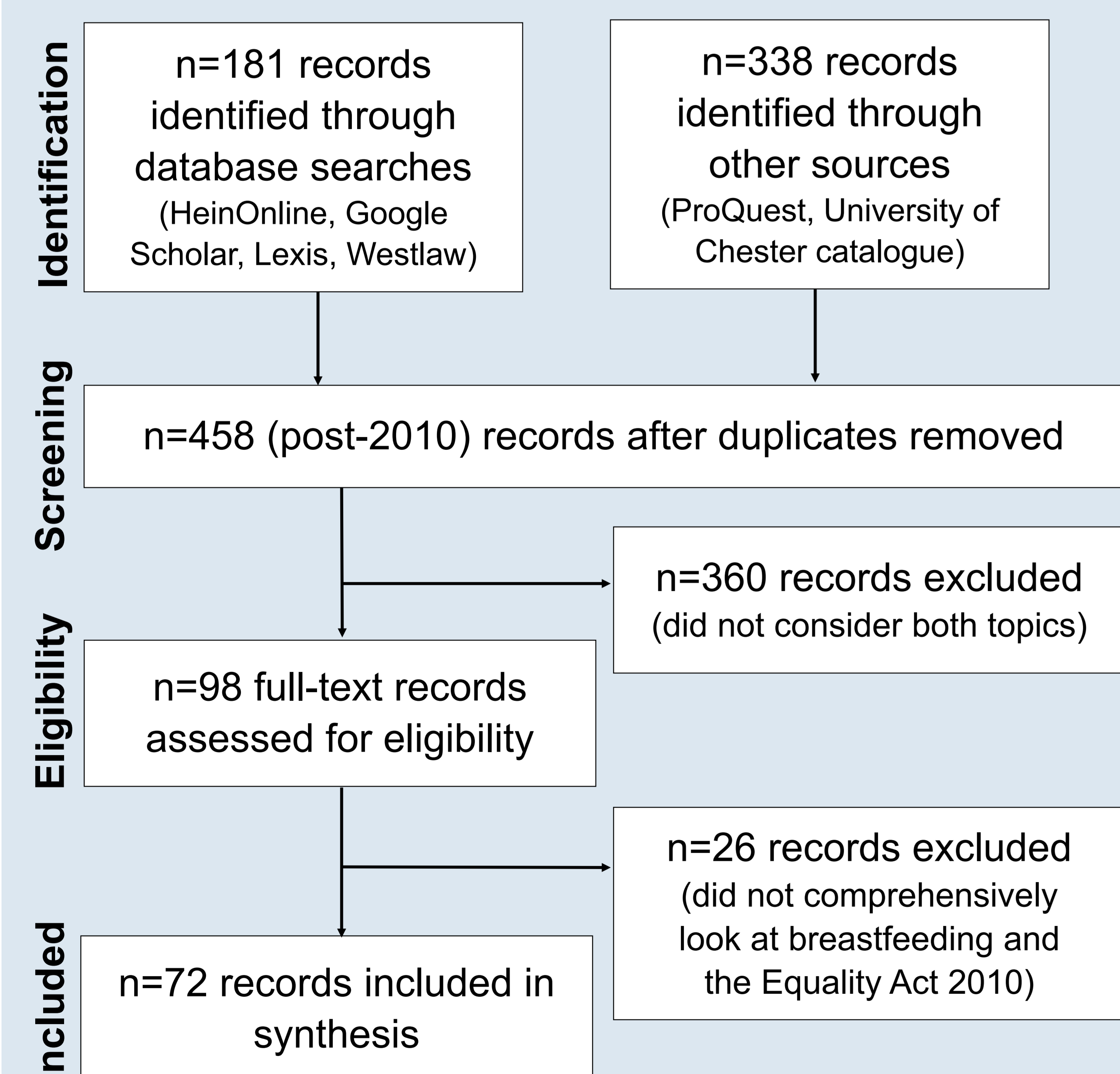
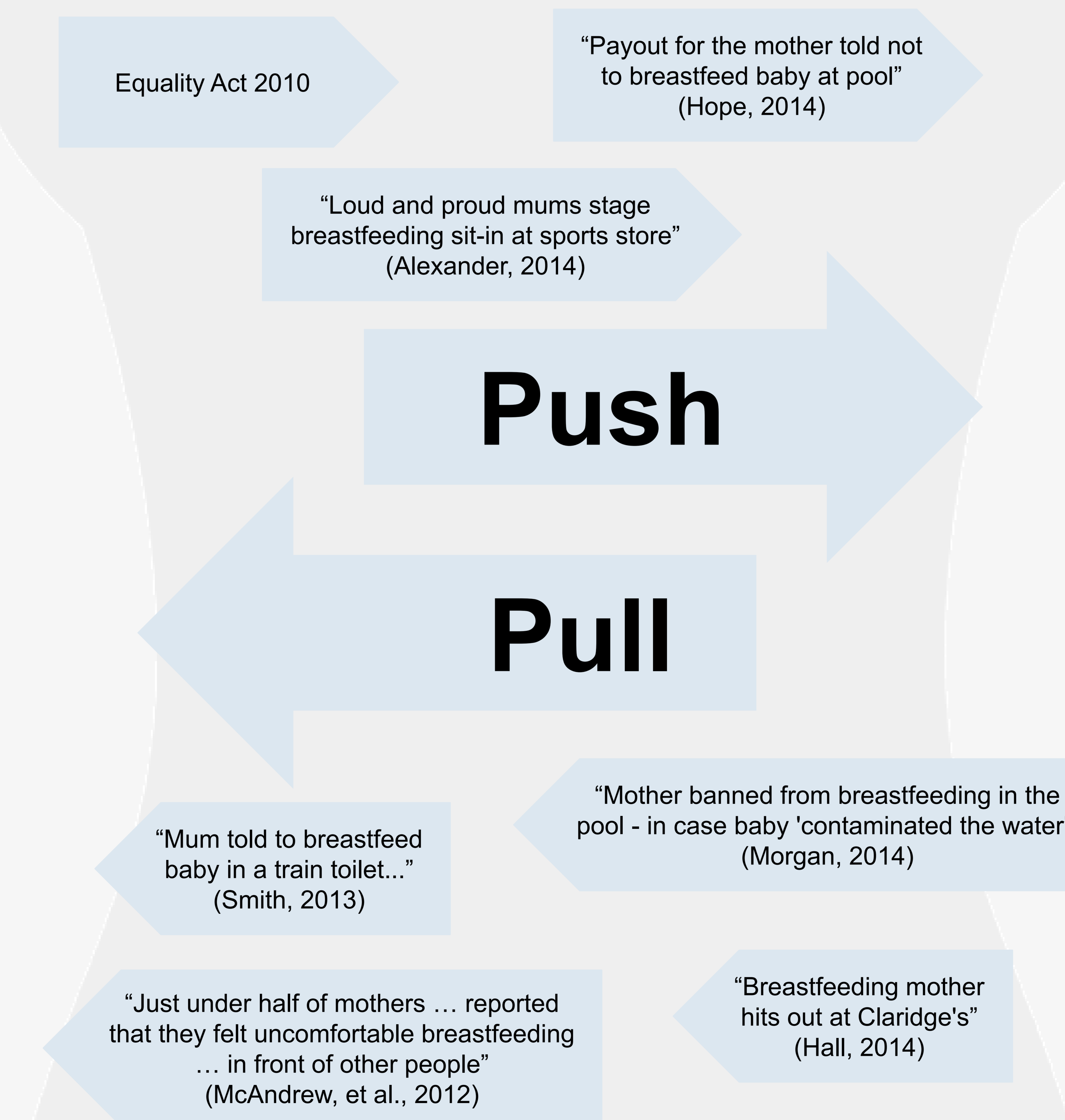


Figure 1. PRISMA statement (Liberati, et al., 2009)

Results

Table 1: Summary of Findings

Source	No. of records	Citations	Findings
Act, Explanatory Note and Codes of Practice	10	Equality Act 2010; EHRC (2011a, 2011b)	Protection due to breastfeeding detailed in: c 15, Pt 2, s 13 (6)(a), (17)(4)
Government Reports/Guides	3	McAndrew, et al. (2012); O'Hagan, et al. (2013); NHS (2015)	Quinquennial Infant Feeding Survey (next due 2015) measures nursing outside of the home: <ul style="list-style-type: none">49% of mothers were aware of legislation11% of mothers were stopped/made to feel uncomfortable
Journal Articles	2	Griffith (2010); Thomas (2014)	Breastfeeding women seeking goods and services protected by the Equality Act 2010; Nursing in public is an area of potential difficulty for breastfeeding women
Newspaper/Magazine Articles	57	e.g. Irwin (2011); Ashe (2011)	Breastfeeding mothers still encounter problems nursing in public; <ul style="list-style-type: none">Direct action nurse-in protests have taken place;Examples of good and very poor staff training in relation to breastfeeding mothers' right to nurse in public;Untrained staff members react to or in anticipation of comments from other members of the public who are also using facilities;The issue is politicised
	(3)		
	(7)		
	(16)	Hall (2014)	
	(24)	Hope (2014)	
	(7)	Bishop (2014)	



Discussion

Legislative reform protecting breastfeeding mothers can contribute towards a cultural shift (Sherriff & Hall, 2011). However the literature reviewed highlights that the impact made to date is mixed. On one hand attitudinal, behavioural and ultimately cultural shifts take time. On the other, breastfeeding mothers continue to both fear and experience discrimination (Amir, 2014).

Implications

- Mothers curtail breastfeeding and/or avoid nursing due to the stigma attached to breastfeeding in public (Thomas, 2014)
- Social/traditional media-led naming and shaming of businesses (Amir, 2014)
- Direct action nurse-in protests more commonplace (Amir, 2014)
- The UK will continue to miss targets with low prevalence of exclusive breastfeeding at six months (1%) if mothers are reluctant to nurse outside the home (McAndrew, et al., 2012)

Conclusion

The implications of the difficulties faced by mothers upon breastfeeding duration are significant, and contribute to the disparity between prevalence and duration rates (Boyer, 2012). The remedies available to most UK mothers are limited in contrast with, for example Scotland (the Breastfeeding etc. (Scotland) Act, 2005). It remains to be seen whether the push of the Equality Act 2010 reform will continue to shape attitudes towards breastfeeding.

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Contact:

Delyth Wyndham

d.wyndham@chester.ac.uk

www.delythwyndham.com

