00:00:58,720 --> 00:01:03,120

Each week, one question, four expert witnesses and an answer.

11

00:01:03,120 --> 00:01:14,320

It's morning in Geneva in Switzerland, and 17-year-old Nicola is walking towards one of the most

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00:01:14,320 --> 00:01:18,880

intimidating buildings she's ever seen. She's got butterflies in her stomach.

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00:01:18,880 --> 00:01:21,360

She's never done anything like this before.

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00:01:22,320 --> 00:01:28,160

She walks up an avenue lined with flags, and there it is, the United Nations.

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00:01:28,160 --> 00:01:32,560

And here she is about to enter it, a child labourer from Peru.

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00:01:32,560 --> 00:01:37,280

Nicola started working on the streets aged eight.

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00:01:37,280 --> 00:01:42,160

She would scavenge for paper and plastic bottles and sell them to recycling plants,

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00:01:42,160 --> 00:01:44,880

and she'd sell flags with her aunt at her local market.

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00:01:44,880 --> 00:01:51,280

She's worked like this ever since she can remember, and now, along with other child labourers,

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00:01:51,280 --> 00:01:55,360

she's bringing a message to the UN. Let us work.

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00:01:55,360 --> 00:02:00,800

In an interview with us afterwards, she explained why.

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00:02:00,800 --> 00:02:10,880

When I first realised I was a working girl, I felt very proud, she told us.

23

00:02:10,880 --> 00:02:17,520

Most people who see a child working think they've been exploited, but it's not always like that, she says.

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00:02:17,600 --> 00:02:27,040

I would give the money to my parents and they would give me food, clothes, everything.

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00:02:27,040 --> 00:02:29,040

It was my contribution to my family.

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00:02:29,040 --> 00:02:32,880

It's inhumane to stop us working.

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00:02:32,880 --> 00:02:43,600

She's one of thousands of children who've joined movements all over the world demanding the right to work,

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00:02:43,600 --> 00:02:47,520

challenging the ban on child labour, and then not the only ones,

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00:02:47,520 --> 00:02:51,840

campaigners and researchers are also questioning whether the ban is working.

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00:02:51,840 --> 00:02:58,320

It's a view you don't hear much. In fact, in making this programme, we spoke to people from some

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00:02:58,320 --> 00:03:03,840

of the world's most respected NGOs who criticised the ban in private, but not in public.

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00:03:03,840 --> 00:03:12,080

So this week, we're wading into a controversial debate, asking, is it time to rethink the ban on child labour?

**PART 1 – WITNESS 1**

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00:03:12,240 --> 00:03:19,760

Part 1. Lifting the burden

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00:03:19,760 --> 00:03:33,600

I had a chance to do some travelling in college and I think it was exposed to children shining shoes,

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00:03:33,600 --> 00:03:41,200

selling newspapers in the streets, and it wasn't until I continued my studies that it really

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00:03:41,200 --> 00:03:44,880

dawned on me that what I was witnessing was child labour.

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00:03:44,880 --> 00:03:54,000

That's **Benjamin Smith**, senior officer for Child Labour at the ILO, the International Labour

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00:03:54,000 --> 00:03:59,600

organisation that's part of the UN. It's the driving force behind the International Ban on Child

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00:03:59,600 --> 00:04:06,640

Labour, which it defines as "work that jeopardises children's development in future."

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00:04:07,120 --> 00:04:12,880

And there are two parts to this, one which bans what's known as the worst forms of child labour.

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00:04:12,880 --> 00:04:19,600

Slavery, use of children in prostitution and pornography, these of children in illicit activities,

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00:04:19,600 --> 00:04:26,960

like drug trafficking, and then hazardous work that jeopardises the health and safety or morals of children.

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00:04:26,960 --> 00:04:32,240

That's the uncontroversial part of the ban, and almost 200 countries have signed up to it.

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00:04:32,880 --> 00:04:37,840

What's debated is the age at which children should be allowed to do work that isn't considered hazardous.

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00:04:37,840 --> 00:04:43,680

Most governments have agreed to set the minimum age at 15 or 14 for some developing countries.

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00:04:43,680 --> 00:04:50,000

So children can enjoy their right to go to school until that minimum age for work,

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00:04:50,000 --> 00:04:54,720

and then if they choose to carry on with their education great, they also have the option to work,

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00:04:54,720 --> 00:05:02,560

but work below that age, our evidence shows inevitably interferes with children's education,

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00:05:02,560 --> 00:05:05,760

and really jeopardises their future prospects in fact.

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00:05:05,760 --> 00:05:07,840

And that's the main argument for the ban.

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00:05:07,840 --> 00:05:16,000

Benjamin Smith says that by making child labour unlawful, you make it more likely a child will go to

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00:05:16,000 --> 00:05:22,080

school than work. And the ban isn't just about paid work, it's about household chores too.

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00:05:22,080 --> 00:05:28,160

If a child is fetching water or fire it for her family for hours on end and that's stopping her going to school,

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00:05:28,160 --> 00:05:29,600

well that's child labour too.

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00:05:31,760 --> 00:05:36,400

But we know that there are millions of children around the world who do work well below the ages of

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00:05:36,400 --> 00:05:42,640

13 and 14. Some of them are forced to do it, but many of them, Mike Nichola, who you heard from at

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00:05:42,640 --> 00:05:48,080

the start of this program, choose to do it to support their families. So why shouldn't they have that choice?

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00:05:48,080 --> 00:05:57,760

I think that that is placing the burden on children themselves in places like Uganda, where

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00:05:57,760 --> 00:06:06,560

HIV-induced child labour is pretty widespread and their orphans in there obliged to work. Legalising

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00:06:06,560 --> 00:06:12,560

that work is not the solution. What needs to be done is that the government puts in place social

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00:06:12,560 --> 00:06:15,680

protection measures so that those children can get the help that they need.

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00:06:15,680 --> 00:06:21,760

And that's the strategy the ILO has gone for. Baning child labour while pushing governments to

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00:06:21,760 --> 00:06:26,640

support families so children don't have to work. So how's the strategy worked?

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00:06:27,200 --> 00:06:36,400

Well the global numbers are moving in the right direction. From 2000 until 2016 we've seen a 38% decline in

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00:06:36,400 --> 00:06:42,080

child labour globally. There are 152 million child labourers in 2016.

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00:06:42,080 --> 00:06:49,360

I suppose another way to look at this would be to say that here we are 50 years on from the ban

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00:06:49,360 --> 00:06:56,720

and yet 152 million children are still in child labour. So do you think it's worth rethinking it?

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00:06:57,360 --> 00:07:04,960

I think that although we have seen a dramatic decline it's not fast enough. I don't think we need to

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00:07:04,960 --> 00:07:11,440

go back and consider revising definitions. What's needed is more resources, more political will

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00:07:11,440 --> 00:07:15,120

and a smart mix of policies that can get the job done.

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00:07:15,120 --> 00:07:22,720

In other words keep going, stick to the ban and with more money and buy in from governments

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00:07:22,720 --> 00:07:28,800

we'll get there. But there are some who disagree. They say it's time for a radical rethink.

**PART 2 – WITNESS 2**

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00:07:28,800 --> 00:07:39,440

Part 2. Why work can work?

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00:07:46,400 --> 00:07:56,240

I've worked across many countries, Peru, Egypt, Bangladesh, Somali land, many other places. I've worked

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00:07:56,240 --> 00:08:04,400

with children in on the streets, children in farm and factory work and children who are in refugee camps.

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00:08:04,400 --> 00:08:09,200

That's Professor **Jo Boyden** from the Department of International Development at Oxford University.

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00:08:11,200 --> 00:08:17,040

She's been researching child labour for decades. She was in Bangladesh 25 years ago when it emerged

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00:08:17,040 --> 00:08:22,160

that children there were working in factories, making clothes for the American retailer Walmart.

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00:08:22,160 --> 00:08:28,640

A US senator Tom Harkin proposed a bill banning imports of any products made by children.

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00:08:28,640 --> 00:08:33,840

It got buy-in from the highest levels including then President Bill Clinton.

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00:08:33,840 --> 00:08:39,680

Today we are embarking on a new partnership. I hope that it will become a vital part of the

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00:08:39,680 --> 00:08:44,800

battle against sweatshops here in the United States and against abusive working conditions

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00:08:44,800 --> 00:08:51,280

and particularly child labour everywhere in the world. And when the Garmin Manufacturers Association

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00:08:51,280 --> 00:08:57,680

in Bangladesh heard of this ban they immediately threw the children out of their work

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00:08:57,680 --> 00:09:04,880

and something like 50 to 60,000 children were made redundant overnight. 50 to 60,000?

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00:09:04,880 --> 00:09:07,120

Yes, it was a very large number.

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00:09:07,120 --> 00:09:12,240

Jo Boyden went to some of the factories and interviewed the children who worked there, mostly young girls.

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00:09:12,240 --> 00:09:16,880

And then she carried out a study following what happened to the girls next.

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00:09:16,880 --> 00:09:24,160

Basically the rationale behind Senator Harkin's bill was that by banning children's work

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00:09:24,160 --> 00:09:30,240

they would then be going to school and the follow-up study that was done with the sub sample of the

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00:09:30,240 --> 00:09:37,040

children. It didn't find a single child that was able to attend school. Many of them ended up

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00:09:37,040 --> 00:09:43,760

in much more dangerous alternative occupations such as some had gone into prostitution,

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00:09:43,760 --> 00:09:50,320

working on the streets, brickchipping which is a really dangerous occupation. And these alternative

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00:09:50,320 --> 00:09:56,880

occupations were really more hazardous than in the Garmin sector. She's not saying these factories

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00:09:56,880 --> 00:10:03,200

were perfect far from it. Days were long and pay was low but the girls worked together.

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00:10:03,200 --> 00:10:08,720

Now they were on their own. At least in the Garmin sector there was the potential to work with

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00:10:08,720 --> 00:10:15,520

employers to improve conditions. Even for example, schooling within the context of the factories.

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00:10:15,520 --> 00:10:22,000

By pushing for a total ban they lost the chance to improve the working lives of those children.

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00:10:22,000 --> 00:10:25,680

That's one of the reasons she wants to rethink. But there's something else too.

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00:10:25,680 --> 00:10:32,000

Something she discovered through a research project. She's been working on for 16 years involving

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00:10:32,000 --> 00:10:41,920

12,000 children in Ethiopia, India, Peru and Vietnam. Through interviews and surveys

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00:10:41,920 --> 00:10:47,040

she says they discovered that many of them combined work with education, using the money from their

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00:10:47,040 --> 00:10:52,720

jobs to pay for schoolbooks and uniforms. And what surprised her is how some of these children

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00:10:52,720 --> 00:10:57,680

talk about their work. They don't all see it as a burden. Some take pride in it.

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00:10:58,480 --> 00:11:02,800

We've got lots of transcripts of interviews with parents and children alike.

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00:11:02,800 --> 00:11:08,400

Children are growing in their sense of responsibility. So there are lots of life skills

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00:11:08,400 --> 00:11:15,120

that you can't teach in schools. And what I see with children in poor countries who are working is

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00:11:15,120 --> 00:11:20,880

a very gradual entry into work. They've already got a lot of the skills needed. They already know

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00:11:20,880 --> 00:11:27,760

how to manage money. They know how to sell stuff and so on. In contrast when you look at young people

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00:11:27,760 --> 00:11:35,680

growing up in rich countries, they leave school age 18 and they have absolutely zero life skills.

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00:11:35,680 --> 00:11:42,000

In many cases they can't even change a light bulb. They may not be able to change a light bulb,

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00:11:42,000 --> 00:11:46,400

but by staying in education longer, their earning prospects will probably be higher.

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00:11:46,400 --> 00:11:52,320

Children who can bind school with work might find it easier to get that first job. But if they've missed

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00:11:52,320 --> 00:11:57,600

huge chunks of their education, surely that's damaging in the long run. Yes. I would

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00:11:57,600 --> 00:12:04,000

agree with that. But a lot of organisations romanticise education as if it was all positive and good.

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00:12:04,000 --> 00:12:10,560

Many of these young people are accessing very low quality schools, very low quality education.

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00:12:10,560 --> 00:12:14,640

Many of them repeat grades frequently. Many of them fail to do their exams.

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00:12:14,640 --> 00:12:19,440

But isn't the answer there to improve education, not to make it easier or not to be more

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00:12:19,440 --> 00:12:24,880

lax when it comes to children in work? I think you do both. I don't think they're mutually

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00:12:24,880 --> 00:12:31,120

exclusive. You just can't ban work overnight while families are still in poverty. It's the poorest

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00:12:31,120 --> 00:12:38,080

children who work and it's the poorest families whose incomes are most fragile. So should we rethink

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00:12:38,080 --> 00:12:46,720

the ban on child labour? Joe Boyden says yes. In countries where there's little support for poor families,

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00:12:46,720 --> 00:12:51,680

the ban has pushed children into more dangerous jobs. And for many children, the money they get

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00:12:51,680 --> 00:12:59,440

from working is the only way they can go to school. But when they look back on their childhoods,

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00:12:59,440 --> 00:13:03,280

a childhood dominated by work, some feel they've been cheated.

**PART 3 – WITNESS 3**

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00:13:03,280 --> 00:13:14,720

Part three. Following the harvest.

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00:13:17,680 --> 00:13:22,720

I can't remember the first time I was in the fields. It was that young. It was that young, that

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00:13:22,720 --> 00:13:31,280

**Sulema Lopez**. She grew up in the US and started working with her family, picking crops at the age of seven.

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00:13:31,280 --> 00:13:39,360

The toughest work was harvesting cucumbers, she says. They had to work all day in a 35 degree heat.

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00:13:39,360 --> 00:13:46,480

We wake up early around five o'clock in the morning because we want to be sunrise. We want to

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00:13:46,480 --> 00:13:53,440

get as many hours as we can without the sun shining on us. And would you have many breaks?

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00:13:53,440 --> 00:13:58,400

We took breaks whenever we wanted, but the more breaks you took, the less money you made,

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00:13:58,400 --> 00:14:00,720

the less contributions you brought to the family.

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00:14:00,720 --> 00:14:09,680

The days were long too. Sometimes up to 15 hours. And it was tough work, particularly for a seven

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00:14:09,680 --> 00:14:17,360

year old. I remember rocks hurting my knees when I was bent over trying to, you know, work in the cucumber.

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00:14:17,360 --> 00:14:27,360

I remember scratches on my legs when I worked in Texas under some crazy heat. The coldness harvesting

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00:14:27,360 --> 00:14:35,600

apples. It was there a time of year when you wouldn't work. I know there was consistent work the entire

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00:14:35,600 --> 00:14:42,480

time. Work that didn't leave much room for school. When the family needed more money,

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00:14:42,480 --> 00:14:47,520

she'd take more time off school so she could earn more. And when the family moved to follow the crops,

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00:14:47,520 --> 00:14:55,760

she'd move with them. One year she changed school four times and she did badly in her exams. But

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00:14:55,760 --> 00:15:01,520

through it all, she thought this was normal. It wasn't until a filmmaker made a documentary about her

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00:15:01,520 --> 00:15:08,480

that she realized she was different from other kids. And to see a room filled with about 1,500 people

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00:15:08,480 --> 00:15:16,880

and they're all looking at your story is mind-bottling. It was crazy that I was bringing awareness to

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00:15:16,880 --> 00:15:25,680

something that I didn't even know was a problem. And then that's when I realized that it was a problem.

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00:15:25,680 --> 00:15:31,440

And that the way I was living was not the way everyone lived. That was the first time she

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00:15:31,440 --> 00:15:38,160

heard the term child laborer. And she realized it described her. That was seven years ago.

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00:15:38,160 --> 00:15:42,240

Now she's made it to university where she's an activist on child labor,

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00:15:42,240 --> 00:15:47,440

campaigning in support of the band. I definitely feel like children shouldn't be able to work

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00:15:47,440 --> 00:15:54,560

until the age is at least of 16. I think this is dangerous for the safety of these children

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00:15:54,560 --> 00:15:58,400

in their education. And I know there's a lot of people liking me out there.

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00:15:59,360 --> 00:16:05,280

Some people say, well, surely it's all right if someone goes to school and just does a couple of hours

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00:16:05,280 --> 00:16:10,720

in the evenings or perhaps a couple of hours at the weekend to help give them income.

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00:16:10,720 --> 00:16:11,600

Wouldn't that be all right?

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00:16:11,600 --> 00:16:18,160

The stuff definitely debatable. I know these families want their children to work to bring

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00:16:18,160 --> 00:16:24,240

some income in, but they're just hindering their education. And I think that these families also

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00:16:24,240 --> 00:16:28,160

need to find a different way to get around their situation. Do you think you would have been

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00:16:28,160 --> 00:16:34,000

able to go to school if you and your siblings hadn't worked? Oh absolutely. My two younger sisters

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00:16:34,000 --> 00:16:39,040

still live at home. They've never felt like they've had to go out in the field to work. And that's

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00:16:39,040 --> 00:16:45,600

because you know, my family moved on to a different type of job that provided more for us.

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00:16:45,600 --> 00:16:50,400

So it sounds like you're saying it's almost as though you need to protect these children from

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00:16:50,400 --> 00:16:55,920

bad choices they might make for the best reasons. Right. I feel like these children shouldn't feel

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00:16:55,920 --> 00:17:04,480

obligated. Does that make sense? It does make sense. When Zulema was little she thought she had to work.

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00:17:04,480 --> 00:17:11,120

She felt responsible even at the age of seven. And so she says more should be done to lift that

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00:17:11,120 --> 00:17:16,560

responsibility off the shoulders of children like her and onto their parents to find another way.

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00:17:16,560 --> 00:17:22,880

The band helps do that. That's her argument. But for some of the poorest families in the world,

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00:17:22,880 --> 00:17:27,680

there is no other way. What then?

**PART 4 – WITNESS 4**

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00:17:27,680 --> 00:17:35,680

Part four. Work we can and cannot do.

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00:17:35,680 --> 00:17:47,920

In India, we have been able to actually create villages which have been child labour free

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00:17:48,880 --> 00:17:55,680

by addressing all of these issues in a very comprehensive manner. It is possible to create communities

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00:17:55,680 --> 00:18:00,480

where exploitative labour of children simply goes away. That's **Kavita Ratner**.

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00:18:00,480 --> 00:18:07,360

She's been working on child labour issues in India for the past 30 years. And she's now director

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00:18:07,360 --> 00:18:12,560

of advocacy and fundraising. It's concerned for working children. That's a charity that works in

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00:18:12,560 --> 00:18:18,800

Bangalore. A charity that says the ban on child labour isn't working. There is a lot of pressure

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00:18:18,800 --> 00:18:25,200

in countries like mine to insist there is no child labour anymore in most sectors, certainly in export

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00:18:25,200 --> 00:18:30,720

sectors. The idea is to say that these products are clean. They're not touched by hands of child labour.

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00:18:30,720 --> 00:18:35,360

Because if their scene is connected with child labour, they won't get any money for them. They won't

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00:18:35,360 --> 00:18:41,360

be able to sell them. Exactly. We don't even acknowledge their presence. So when the authorities come

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00:18:41,360 --> 00:18:46,400

across child labourers, she says that instead of helping them, they want them to disappear.

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00:18:46,400 --> 00:18:53,200

And here if children are found working, the state response is come in white bands, put them in and

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00:18:53,200 --> 00:18:58,720

take them away to child care homes where they're locked up. The children are away from their families

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00:18:58,720 --> 00:19:03,280

and the state calls the family and tells them the child should never ever be seen like this again.

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00:19:03,280 --> 00:19:08,080

And when they're released, most of the children go back to work because the problems that

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00:19:08,080 --> 00:19:12,560

drove them to work in the first place haven't been solved. And this is where Kavita Ratner's

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00:19:12,560 --> 00:19:18,960

organisation comes in. They meet child labourers in their villages and ask them, not their parents

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00:19:18,960 --> 00:19:24,320

why they work. Some talk about the hot meal they get at the factory. Some said they didn't get the

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00:19:24,320 --> 00:19:29,360

support they needed at school. Others said they had to look after their younger siblings or fetch water.

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00:19:29,360 --> 00:19:35,360

All of them had different reasons. But they had one thing in common. They were not willing to

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00:19:35,360 --> 00:19:40,960

transfer their burden onto the family. For instance, if they were fetching water, they were not

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00:19:40,960 --> 00:19:44,960

okay with saying, "Let your mother fetch water and you be in school" because they were saying

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00:19:44,960 --> 00:19:49,760

my mother has a lot to do already. They had to find solutions that wouldn't put more pressure on

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00:19:49,760 --> 00:19:54,800

their parents. And so Kavita Ratner's charity turned to what's known as the Panchayat's

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00:19:54,800 --> 00:20:00,960

India's local councils. And a lot of the work of my organisation has been to work with these

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00:20:00,960 --> 00:20:08,000

local governments with children sitting with them and the solutions in one case can be a

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00:20:08,000 --> 00:20:13,120

scholarship for a child who has no money. It could be more funding for child care so children don't

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00:20:13,120 --> 00:20:18,240

have to look after their younger siblings. In another case, a wheelchair for another child.

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00:20:18,240 --> 00:20:23,760

In another case, it can be getting electricity for households which don't have it. And that is how

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00:20:23,760 --> 00:20:28,720

we were able to create child labour-free communities than a country like India.

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00:20:28,720 --> 00:20:34,080

And by labour-free, she doesn't mean these are communities where no children work.

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00:20:34,640 --> 00:20:38,320

What she means is that the work they're doing no longer interferes with school.

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00:20:38,320 --> 00:20:46,160

Like Jo Boyden, she says some work can be a good thing. It gives children useful skills and

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00:20:46,160 --> 00:20:50,960

money for textbooks or school uniform. It's all about making sure they can choose the right

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00:20:50,960 --> 00:20:57,120

kind of work. And to do that, they create children's councils. I'll give you an example. The

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00:20:57,120 --> 00:21:02,000

villages we work with, we talk to children and we actually come out with a document called

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00:21:02,000 --> 00:21:09,520

work we can and cannot do. For instance, milking the cows, most of us might think it's okay harmless,

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00:21:09,520 --> 00:21:16,480

etc. But these give said if you're milking what are called jersey cows which are very temperamental

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00:21:16,480 --> 00:21:22,720

and which are very happy kicking, they said nobody should be doing it because it's harmful work.

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00:21:22,720 --> 00:21:28,960

It's dangerous. Instead of lists drawn up by international organizations or central governments,

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00:21:28,960 --> 00:21:34,640

they find out what the children want. Some might be exhausted by hours of household chores and

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00:21:34,640 --> 00:21:39,840

prefer to spend two hours working for a local shop. Others might choose factory work over milking

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00:21:39,840 --> 00:21:45,840

a temperamental jersey cow. It's down to them and it gives them a lot of control over their own lives.

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00:21:45,840 --> 00:21:50,800

But can you really expect children to make the right decision for themselves?

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00:21:50,800 --> 00:21:54,800

I'm yet to find a child who willingly wants to be exploited.

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00:21:55,360 --> 00:22:00,880

But a child who perhaps continues to work because they feel the pressure to help their family.

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00:22:00,880 --> 00:22:07,200

We have to give the child that choice. In fact, this kind of work actually increases our

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00:22:07,200 --> 00:22:12,560

responsibility. When we are working with children directly you don't let them take that one decision

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00:22:12,560 --> 00:22:16,640

and then forget them. You're still in touch with them. You're part of their life.

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00:22:16,640 --> 00:22:24,480

They're now working with children's council throughout Bangalore. It's time consuming and expensive,

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00:22:24,480 --> 00:22:30,160

but it's having results. So is it time to rethink the Bangalore child labour?

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00:22:30,160 --> 00:22:38,560

The ILO, the organization behind the global ban says no. Children under a certain age should never work.

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00:22:38,560 --> 00:22:45,200

But we've heard about the unintended consequences. Children pushed into more dangerous work or

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00:22:45,200 --> 00:22:51,360

locked up by the authorities. It's a debate that will continue. But when you take a step back,

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00:22:51,360 --> 00:22:58,240

it's clear that the argument isn't just about policy. It's about something more fundamental.

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00:22:58,240 --> 00:23:04,960

For some, particularly in the West, a child under a certain age who works is, by definition,

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00:23:04,960 --> 00:23:11,520

being exploited. Others say a child should have the right to work. And that's what makes it so hard

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00:23:11,520 --> 00:23:19,600

to know what's right. The answer doesn't lie in our definition of child labour. It's about how we've

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00:23:19,600 --> 00:23:21,280

you childhood.

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00:23:21,280 --> 00:23:39,600

This inquiry was presented by me, Helen Amarieman, and produced by Beth Sagar Fenton.

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00:23:39,600 --> 00:23:44,800

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00:23:44,800 --> 00:23:50,960

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00:23:50,960 --> 00:23:57,200