



This is a typical early morning scene across Britain. Although children are prohibited from working before 7 am and after 8 pm on school days, the TUC found that 23% of British school children had worked before 6 am and 45% after 8 pm. In addition, one in four children under 13 admitted to doing paid work, even though this is illegal

The Civil Service and the Regulation of Child Labour in Twentieth Century Britain

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British historians have commented on the puzzling gap between Edwardian inquiries into child employment and the 'rediscovery' of child labour in the 1972 government-sponsored Davies Report. They have been unable to explain why Britain's child employment legislation remains outdated and ineffective, despite the proliferation of evidence of child exploitation. The main problem is that no attention has hitherto been devoted to analysing the forces involved in shaping twentieth century British child labour law. In particular, the important and conservative role played by civil servants has been completely ignored. By focussing on two key periods of policy development, this article shows that of all the agents active in the policy making process, civil servants have been the most influential in shaping the approach adopted by successive governments. It goes on to show that the assumptions that shaped the actions of officials in the past, still inform the way commentators, politicians, and civil servants think about child labour today.

Introduction

In modern capitalist societies such as Britain work performed by children outside school hours is invariably portrayed (and, indeed, widely perceived) as a harmless, and even educational activity. Children, it is argued, obtain a certain amount of intrinsic satisfaction from their employment; it gives them a sense of worth, and the wages they earn allow them a degree of freedom and independence that would otherwise be lacking. At the same time, children's out of school work is depicted as a useful socialising

experience; it is seen as a 'character building' exercise which gives them a taste of a real job, and helps bridge the potentially troublesome gap between full-time schooling and full-time work.

This non-problematic conception of child labour contrasts sharply with historical accounts of the employment of children in nineteenth century Britain. In these, the 'brutalising' effects of child labour are systematically documented, and the practice is almost universally decried as exploitative and representative of the worst excesses of the industrial revolution⁽¹⁾. The start of the twentieth century, though, is frequently identified as marking the emergence of a more humanitarian attitude towards children, epitomised by the increasing willingness of the state to intervene in arenas such as child welfare⁽²⁾. Historians of British child labour have cited the intensification of legislation designed to protect the child (especially that relating to the provision of compulsory education and employment prohibition) as evidence to suggest that by the turn of the nineteenth century the vast majority of children were no longer significant workers and that they had instead become 'consumers' of education, protected from the worst rigours of employment characteristic of earlier decades⁽³⁾. General acceptance of this thesis has meant that little or no attention has been devoted to analysing the framing and the shape of British legislation relating to school children's work in the twentieth century.

The lack of attention devoted to this area is unfortunate because the idea that child labour in Britain is an issue of purely historical interest has been challenged in recent years, and the assumptions that have traditionally governed thinking on this issue have been found wanting. The first major study to draw attention to the potentially detrimental implications of school children's work was the government-sponsored *Emrys Davies Report* (1972). Davies concluded that the assumed 'positive' and 'beneficial' aspects of child employment had been exaggerated and that work outside school frequently had a deleterious affect on educational performance, school attendance, health and behaviour⁽⁴⁾. As Maclennan e.a. highlight, it "*effectively shattered the notion that child labour was a relatively uncommon but commendable practice and that infringements were limited to a tiny minority of employers*"⁽⁵⁾. Davies' findings acted as a catalyst prompting further empirical research and since the publication of his inquiry numerous studies have shown that the paid labour activities performed by children in Britain today are still frequently very demanding, arduous and harmful to their educational development. For instance, a recent Trades Union Congress (TUC) report found that one in ten children admitted to playing truant in order to undertake paid work and more than a quarter reported that they were often too tired to do homework or school work because of their job. As the TUC argues, the "*illegal employment of children who should be in school is not a distant problem confined to Victorian times*"⁽⁶⁾. In short, questions about the suitability of paid employment for British children, and the impact it has upon them, have been raised, and as evidence of long hours, poor conditions and serious accidents has been exposed, the idea that such work is healthy or educational has come

under increasing criticism⁽⁷⁾.

However, one of the problems facing those concerned about children's employment today is that perceptions of child labour continue to be coloured by historical analyses that emphasise the humanising effects of social reform and the decline of exploitative practices. It is for this reason that a number of researchers have called for a more detailed examination of the evolution of child labour legislation during the twentieth century⁽⁸⁾. This article represents an attempt to bridge the 'historical gap' in the literature on British child labour regulation by providing an analysis of the forces and concerns which helped shape policy during two key periods, 1929-32 and 1993-2000. Both these periods were notable for the fact that they coincided with the incumbency of Labour Governments. However, they were also formative years with regard to the development of national and international law relating to school children's employment.

Pressure for Progressive Reform 1929-1932

The minority Labour Government that took office in June 1929 came to power at a time when child labour appeared to be back on the political agenda. At the time, school children's employment was regulated under the Education Act 1918. This allowed children aged between twelve and fourteen to work for four hours on school days (between 6 am - 8 am before school and until 8 pm after school) and for fourteen hours (from 6 am to 8 pm) on days when the school was not open (except for Sundays, when children could only be employed for up to two hours). Influential figures within the new Labour Government had already recently sought to introduce more stringent statutory restrictions than those contained in the 1918 Act. For example, less than a year before she became Parliamentary Secretary at the Ministry of Health in the new government, Susan Lawrence had introduced a Children and Young Persons (Protection) Bill (1928), which proposed to increase the minimum age of employment from twelve to thirteen and to prohibit by statute work before school and on Sundays. Although Lawrence's Bill was unsuccessful, it was sponsored by, among others, Margaret Bondfield, the Minister of Labour in Ramsey MacDonald's 1929-31 administration, Arthur Greenwood, the Minister for Health, and C. Ammon, a junior Minister at the Treasury. However, Labour politicians were not the only constituency calling for child labour reform. Educationalists in Britain had also begun to question the efficiency of the regulations governing school children's work. In October 1929, a leading article in the influential Times Educational Supplement concluded that existing legislation was not, in itself, sufficient to prevent the exploitation and abuse of children and that additional measures were urgently needed, "*The Act of 1918 marked a distinct advance in child employment legislation, in that it prohibited all employment under the age of twelve. That age, however, has been recognised for some years as much too low. The time is ripe for*

raising it by at least two years [...]. It does not appear improbable that supporters of the [Labour] Government may press strongly for the total prohibition of all child labour. As things are, there is, no doubt, substance in the contention that education and employment are irreconcilable"⁽⁹⁾.

It was in such an atmosphere of reform that the backbench Labour Member of Parliament (MP) Reginald Sorensen introduced his Children and Young Persons (Employment and Protection) Bill into the House of Commons in November 1929. Like Lawrence's 1928 Bill, it sought to increase the minimum age of employment from twelve to thirteen and to prohibit employment before school and on Sundays. Sorensen argued that his Bill would be of tremendous value to the country because it would eradicate the educational waste caused by children working long hours under depressing conditions. It would, he stated, "*release child life in many quarters to-day from the shadows which at the moment are falling upon them*".

Sorensen claimed his Bill was supported by up to 50 Local Education Authorities. However, it did not command universal backing in the House of Commons. Conservative MPs accused Sorensen of endangering 'harmless, educational' pursuits, which instilled in working class children a healthy respect for manual labour. It was, argued one Conservative, "*most important that we should maintain in the minds of our children the idea that their work is worth doing*". The Bill, he insisted, did precisely the opposite, and, "*would stop excellent employment for our children which they do not mind and which would do them good*". Conservatives also dismissed Sorensen's claim that the Bill would "*not hurt anyone*", arguing that it would certainly have a detrimental effect upon business. The following comments were fairly representative of the criticisms advanced by the Opposition:

"Members on our side of the House [...] desire [...] to see that that the children [...] are looked after industrially in the best possible way, that their lives may be happy, and their interests and their health looked after, with the important proviso that there is minimum adverse effect upon industry"⁽¹⁰⁾.

Labour M.P.s rejected Conservative claims that the Bill would damage competitiveness and profitability and questioned the commercial wisdom of placing the burden of competition upon the shoulders of the youngest and most vulnerable members of the community. However, the success of Sorensen's Bill would ultimately depend less upon the support of the Parliamentary Labour Party and more on the views of senior civil servants within the Home Office, the government department responsible for administering legislation relating to school children's employment. In order to understand the significance of the role civil servants played in determining the fate of this and other attempts to strengthen child labour regulations, a brief discussion of the Home Office's history and record of child labour administration is necessary.

The Civil Service Influence

The Home Office was and still is a government department better known in Britain for its law and order rather than its 'welfare' functions. How, then, had it come to be designated the central authority for dealing with school children's work? In fact, the decision to locate responsibility for child labour there rather than at the Board of Education owed more to historical tradition than to any clear or sympathetic understanding on the part of the Home Office of the issues raised by school children's employment. Put simply, it had administered child labour law under the nineteenth century Factory Acts, so when the first piece of legislation dealing with the employment of children outside school hours was passed in 1903 it seemed the most convenient place to locate it. The choice of the Home Office would, however, prove to be significant. Ideologically, it had a well-deserved reputation as a bastion of conservatism and economic orthodoxy. As one historian has argued, its officials were gripped by "*departmental reverence which encouraged looking back rather than forward*", and they seemed to be "*particularly aware of reasons why changes should not be made*"⁽¹¹⁾. They also appeared to consider it "*imperative that the Government should avoid fiscal and welfare measures [...] which might trench upon the profits fund, erode managerial incentives and reduce the level of capital accumulation*"⁽¹²⁾. These ideological influences would ultimately shape the Home Office's 'departmental view' of child employment and its response to the attempts made to strengthen child labour regulations. Indeed, throughout the first two decades of the twentieth century, the department's administration of child labour legislation was subjected to a stream of constant criticism. Official papers show how the department was repeatedly accused by organisations interested in the welfare of employed children, such as the TUC and the Committee on Wage Earning Children (CWEC), of being inherently biased in favour of industry and of obstructing progressive reform⁽¹³⁾. Even fellow civil servants in the Board of Education accused Home Office officials of being "*more anxious not to interfere with industry than to promote education*", and of constituting themselves the "*protectors of trade interests*". "*The real ground*", the Board complained in 1917, "*for objecting to excessive restrictions on child labour was not that it might injure some trade interest, but that it might provoke reaction and thereby prejudice the interests of children*"⁽¹⁴⁾.

The serious criticisms raised by contemporaries were not unfounded. For example, the child labour provisions of both the 1903 Employment of Children Act and the 1918 Education Act merely set minimum statutory guidelines. Subject to Home Office permission, the legislation allowed Local Education Authorities (LEAs) to pass local byelaws strengthening certain aspects of these national regulations. Thus, under the 1918 Education Act, LEAs could, theoretically, prohibit employment before school by byelaw if they could furnish evidence that it was detrimental to health or education. However, from the outset the Home Office placed serious obstacles in the way of those local authorities that sought to go beyond its limited conception of what was

LIMITING CHILD LABOUR

PREPARING BASIS FOR NEW CONVENTION

From Our Own Correspondent

GENEVA, Sunday.

ONE result of the International Labour Conference, now sitting here, will be substantial progress towards regulating the age of admission of children to non-industrial occupations.

The committee dealing with the subject has now practically completed its work, which consisted in framing the questions which will be sent to the various Governments.

Their replies will form the basis of a draft Convention to be discussed next year.

Mr. H. H. Elvin, acting chairman of the worker's group on this committee (and also vice-president of the committee) has been warmly congratulated by the members on his skill in piloting the claims of the workers.

When I saw him to-day he said that the workers' group had been united on all serious resolutions, and their views had practically all been adopted.

"This is the more remarkable," said he, "as it is done in spite of the extraordinary attitude of the British Government representatives on the committee.

"Their attitude seems to suggest that if the Labour policy is to be carried out, the Department should send to Geneva persons who have the Labour outlook.



Mr. H. H. Elvin

"Otherwise the Government must not be surprised if it is misunderstood, and its prestige lowered, among the representatives of other nations.

"The representatives of the British Government voted against the workers' proposal that all children excluded from protection in various works should be included in the present Convention.

NIGHT WORK

"In regard to overtime and night work being prohibited for young persons under 18 years, there was a tie, and the British Government representatives abstained.

"Further, they did not support the workers' proposal that the Convention should apply to domestic workers, and that girls under the age of 18 should be prohibited altogether from street trading.

"The attitude of the representatives of the British Government has been in great contrast to that of the Spanish Government, which has consistently cooperated with the workers' group in the Committee."

FASCISTS ACCEPTED

In the full conference yesterday the credentials of the Fascist workers' representatives were accepted by 76 votes to 22, the votes of several Governments and all employers being in favour.

A similar controversy has arisen over the credentials of the Polish Catholic workers' delegates, but the credentials were approved by 90 votes to 21.

Among the Governments abstaining from voting in the Fascist case were the British, Canadian, Spanish, Chinese, and several Latin-American Governments.

It was noted that all the Catholic workers' representatives, including Polish workers, voted against the Fascist credentials, evidently out of regard for the present situation of Catholic workers in Italy.

This cutting from the Daily Herald (15.06.1931) was found in the Home Office's file on the ILO's proposals. In a memorandum attached to the article, the head of the British delegation, Sir Malcolm Delevingne, confessed that this work was "made very difficult" by the opposition he faced from Elvin (Public Record Office Image Library)

a 'desirable' level of restriction. In countless cases, progressive local child employment byelaws were rejected as 'too stringent', and officials made it clear that detailed, time consuming investigations would have to be conducted before they would even consider any proposed divergence from their 'model' guidelines. Sir John Gorst, the former Conservative Vice President of the Education Department, argued that the Home Office had been "got at" by "certain capitalists and manufacturers who thought [...] byelaws might interfere with the transaction of their business"⁽¹⁵⁾. Gorst's criticisms were certainly justified, for the Home Office's concern not to disrupt affected trades appeared to take it well beyond the realms of impartiality. Irrespective of the political complexion of the government of the day, officials showed an inherent bias towards associations representing business and industry, and they were intrinsically suspicious of any proposals they felt might harm these interests.

Whilst the Home Office certainly wanted to minimise the disruption of any regulatory measures on business, their approach towards child labour was also influenced by two other concerns. First, senior civil servants within the department firmly believed that child labour was a beneficial, character building activity in its own right. Certainly, this was the position adopted by Sir Edward Troup, Permanent Secretary at the Home Office between 1908-1922. Troup played a crucial role in the formulation of the Home Office's 'departmental view' of child labour during the first two decades of the twentieth century, and he was convinced that employment was a useful socialising experience, sharpening children's wits and instilling in them a healthy respect for work. According to Troup, the strongest evidence tended to show that work was in most cases beneficial to the children concerned. Indeed, he is on record as stating that in many instances the practical work children performed outside school hours was "*very much more educative than anything they were taught in school*"⁽¹⁶⁾.

In fact, the claim that employment was an educationally 'beneficial' exercise bore little relation to the evidence given by specialist witnesses to contemporary child labour inquiries. Nor, as the following comments on the impact of early morning employment on children's schooling illustrate, did it correspond with the findings of the Board of Education's medical officers and school inspectors:

"[Investigation] has made it clear that the educational and physical objections to employment before school hours are well founded and serious. Children so employed begin the school day tired. Sleepiness is not the only serious symptom. School doctors as well as teachers notice symptoms of chronic tiredness and anaemia. Teachers find that boys and girls so employed fall off in their general powers, lose interest and keenness [...]. Such children are seriously handicapped at an age when their schooling is most valuable"⁽¹⁷⁾.

However, the Board of Education's concerns, like those of others who drew attention to the damaging impact of employment on children's schooling, were ignored and Home Office officials remained wedded to the notion that child labour was a useful, educational activity.

The second other major concern influencing the Home Office's approach towards child labour was its belief that employment acted as a useful non-institutional means of combating juvenile delinquency. The following comments are taken from the Home Office's 1901 *Inter-Departmental Report on the Employment of School Children*:

"[The] poor boy, if he has no work to fill up his spare time, has in most large towns only the alternative of playing or loafing in the streets or moping about in dull rooms in a crowded housing tenement. We think that, quite irrespective of anything he may earn, it is better for him mentally, morally and physically to be engaged for a few hours a day in regulated child labour than to spend his whole leisure time on the public thoroughfares or in penny arcades"⁽¹⁸⁾.

This 'public order' conception of child labour was further strengthened when administrative responsibility for school children's employment was passed from the Industrial and Parliamentary Branch of the Home Office to the newly created Children's Branch soon after 1913. This latter section's principal duties involved the control and treatment of delinquent youths (e.g. probation work, reformatory and industrial schools), and there can be little doubt that more restrictive child labour reform was sacrificed in order to fulfil its more strategic objectives. The following comments, taken from a 1924 Home Office memorandum on child employment, highlight the continued influence of public order considerations well into the twentieth century:

"It is urged that in the absence of other occupation, street-trading at least finds youth something to do [...]. Boys so occupied are at least removed from the temptations to mischief arising out of sheer idleness [...]. Further, it is represented that the physical benefit derived from running long distances in the distribution of newspapers must be considerable and must produce such a state of fatigue as to leave little energy for the prosecution of undesirable forms of recreation"⁽¹⁹⁾.

Just as the Home Office's assertions regarding the supposed educationally beneficial nature of child employment were based on anecdotal, commonsense perceptions, so too, it seems, were its claims concerning the social control functions of child labour. The vast majority of those considered to be 'experts' in the field of juvenile delinquency felt that the deviant behaviour of working-class children was amplified rather than moderated by their exposure to the 'pernicious' influences of street-based employment. In this respect, *The Times*' observation that employed children "*frequently acquired the habits of the frequenter of the kerbstone*", developing a "*dislike or disability for more regular employment, and drifting into a life of vagrancy and crime*", was shared by most contemporary commentators⁽²⁰⁾. Once again, though, the Home Office dismissed this evidence, remaining convinced of the social control 'benefits' of child labour.

Each of the three themes discussed above helped to shape the Home Office's attitude to the question of child labour reform. The Home Office's preferred policy, therefore, was one of minimal regulation, and this remained the dominant paradigm despite, as we shall now see, the challenges posed to it by elected British politicians and the International Labour Organisation (ILO).

The Home office and the Children and Young Persons (Employment and Protection) Bill

It will be remembered that Sorensen's 1929 Children and Young Persons (Employment and Protection) Bill proposed to increase the minimum age of employment from twelve to thirteen and to prohibit employment before school and on Sundays. Perhaps not surprisingly, given its ideological outlook, the Home Office's reaction to the Bill was wholly negative. Immediately it set about providing J.R. Clynes, the new Home Secretary in Ramsey MacDonald's Labour Government, with 'irrefutable evidence' that child labour in Britain was already adequately regulated, and that its administration of the law had been judicious and fair. In Clynes, the Home Office were dealing with an individual who, after working from the age of ten in a textile mill, had placed himself at the forefront of the fight against child labour in the late nineteenth century. Then a leading figure in the National Union of Gasworkers, he had described the use of children in industry as "*a crime against the human race*" and had demanded "*as a temporary minimum ... the abolition of child labour until the age of fifteen*"⁽²¹⁾. However Clynes' reputation as a firebrand union official was long behind him and the Home Office found him entirely accommodating. As Clynes himself acknowledged in his *Memoirs*, he was overwhelmed by the "*intolerable demands*" of his post and relied heavily on his expert civil service advisers. With touching naiveté, Clynes describes how he found the permanent officials extraordinary helpful and kind. Whenever he was at a loss in matters, he later wrote, "*they were always beside me, advising coaching and checking*"⁽²²⁾. With regard to the merits of Sorensen's Bill, Clynes was 'advised' by his officials that children were not infrequently employed in light work, such as delivering newspapers before school, but that the Home Office had no evidence to justify so drastic a change as the prohibition of such work. More generally, the department had not received any complaint as to excessive employment, and it was of the opinion that child labour, and the problems formerly associated with it, had been much reduced in recent years⁽²³⁾. As well as flatly contradicting evidence accumulated by the Board of Education, this advice also ran contrary to information the Home Office itself had received only a few years earlier concerning the potentially detrimental consequences of employment before school. For instance, in 1924, Plymouth's Local Education Authority (LEA) informed the Home Office that its inquiries had shown children who worked before school, presented a tired and listless appearance. Cardiff's LEA had also reported that investigation had clearly shown that such employment had a very harmful effect both on the physique and on the ability of such children to secure full benefit from their education. And in Glamorgan, the effect upon children employed in the morning was stated to be that they arrived late for school and in isolated cases listlessness, lack of interest and fatigue were observed⁽²⁴⁾. However, in the policy briefings given to Clynes such evidence was ignored, and he was easily persuaded by his 'expert' officials to encourage Sorensen to withdraw his Bill.

The International Labour Organisation (ILO) and the Minimum Age (Non-Industrial Employment) Convention, 1932

Before long Home Office officials were once again 'advising' Clynes on the desirability of child labour reform. By 1931 the ILO was in the process of formulating a Convention on child employment in non-industrial occupations, and a conference was planned in Geneva for June of that year. Furthermore, Home Office officials believed that the ILO was planning to go much further than they were prepared to recommend or accept. It seemed that the ILO wanted to prohibit all non-industrial employment under 14, with only a few tightly defined exceptions for work of a light character. Clynes was informed that British legislation had worked extremely well for many years, and that "*the ILO proposals would suit our circumstances far less satisfactorily*". According to officials, the risks associated with non-industrial forms of child employment were often exaggerated, and hence the government representatives should endeavour to prevent any premature decision⁽²⁵⁾.

This advice contradicted recommendations the Labour Government was simultaneously receiving from its own Labour Party Education Advisory Committee (LPEAC). It wanted the Government to introduce amending legislation along the lines suggested by the ILO. There were, the LPEAC argued in one memorandum, "*certain defects in the law relating to child labour and there was an urgent need for a [...] tightening up of the present restrictions*". Many local authorities were slow to make use of their powers to regulate employment and a good number did practically nothing. The LPEAC recommended that the Government introduce at the earliest possible moment a new Employment of Children and Young Persons Bill⁽²⁶⁾.

Once again, though, Clynes succumbed to the 'advice' of his officials, and decided to adopt an approach entirely at variance to the wishes of Labour's own supporters. He ignored the recommendations of the LPEAC and instructed the head of the British government's delegation at the ILO to obstruct any proposals not consistent with the British system of regulation. Interestingly, even the Prime Minister, Ramsey MacDonald, was initially unsure as to whether this was an appropriate stance to adopt, and he suggested to Clynes that the instructions appeared to be "*hesitating and of a non-committal character*". However, Clynes replied that the ILO's intended to go very much further than the existing law either in England or Scotland, and that it was quite right that the government's delegates should be advised to stall the proposals⁽²⁷⁾.

Once the Labour government's position became clear, the British workers' delegates at Geneva condemned it. Herbert Elvin, General Secretary of the Clerks and Administrative Workers Union and the British Workers' delegate to the ILO, was appalled at the extraordinary attitude of the British Government, and he successfully sought to frustrate and undermine the position of its representatives. He stated that if a Labour policy was to be pursued, in future delegates sympathetic to the Labour outlook should be sent to Geneva. Otherwise, he argued, "*a government must not be surprised if it is misunderstood*

and its prestige lowered with the representatives of other nations⁽²⁸⁾.

The Labour Government collapsed in August 1931, before the ILO's minimum age convention was adopted. However, the significance of Clynes' uncritical acceptance of the advice of his officials, and of the subsequent position adopted by the government's delegates in Geneva, was not diminished by the demise of the Labour administration. MacDonald remained as Prime Minister, though now as the head of a Conservative dominated national Government, and preparations for the second Geneva Conference, where the content of the forthcoming convention would be decided, continued in a Home Office now led by a senior Liberal politician, Herbert Samuel. Not surprisingly, the Home Office's position had not altered. Officials informed Samuel that no serious abuse was associated with school children's employment, and that there was, therefore, no advantage in prohibiting by legislation employment between the ages of twelve and fourteen, which was on the whole not harmful to the children engaged in it. Once again, this advice contradicted evidence recently gathered by the Home Office, which showed that a significant number of local authorities believed that employment did adversely affect children's education and health. For instance, in their response to a 1931 Home Office questionnaire on school children's work, at least fifteen LEAs reported that head teachers had found that children employed in the morning were tired and listless and found difficulty in concentrating. A further eleven LEAs stated that children were "often absent" due to the drenchings they received working prior to school. In all, twenty-five percent of LEAs whose child employment byelaws permitted morning employment stated that it did have a detrimental effect on school children's health and/or education. Given that an additional twenty-one percent (sixty-three) of authorities had already prohibited morning work by byelaw, there was clearly a considerable amount of opposition to this form of labour. With regards to employment generally, just over eighteen percent (fifty-three) of authorities called for the minimum age of prohibition to be raised above the then current level of twelve⁽²⁹⁾.

Interestingly, Samuel initially appeared more favourably disposed to the ILOs proposals than Clynes had been. He expressed his concern that Home Office's suggested position might "expose this country to the charge of taking up an obscurantist attitude on this matter without any ground of real substance. Was it, he asked, really worthwhile maintaining objection to the principle of raising the age to fourteen when only such a small number of children were involved?" Given that the National Government had been elected on a programme of 'national economy' and a public commitment to an overtly pro-business agenda, this was a rather surprising stance to adopt. This was quickly seized upon by Sir John Anderson, Permanent Secretary at the Home Office, who made it clear to Samuel that he was in danger of advocating a position that went well beyond that taken by the previous socialist government:

"Sir John Anderson mentioned that the attitude proposed had already been taken up at Geneva last year by the Labour administration and had survived the discussion at the time, and it might appear strange if

CCPY.

COMMITTEE ON WAGE-EARNING CHILDREN

76, Denison House,
296, Vauxhall Bidge. Road
S.W.1.

Sir,

At a meeting of the Executive of the Committee on Wage-Earning Children held at County Hall on Wednesday, 28th October, 1942, it was resolved unanimously to ask you, Sir, to be so good as to receive a deputation of members of this Committee, to be introduced by our Chairman, the Hon. R.D. Denman, M.P.,

We are anxious to ask your kind consideration of the following matters:

1. The urgent need of registering boys and girls 14 to 16, whose conditions of work outside factories little is known, but who are said to be subject to long hours. The registration of the 16-18 group has brought many important facts to light and it is therefore very desirable that information should be forthcoming in regard to the younger boys and girls.

2. We feel that it is highly important that the following proposals should be incorporated in the forthcoming Education Bill:-

K.c. (a) The transfer from the Home Office to the Board of Education of existing powers in regard to child employment as provided by Part II of the Children and Young Persons Act, 1933.

(b) The working hours of all young persons required to attend day continuation schools to be limited to 36 a week.

H.c. (c) The amendment of Section 18(1) of the Children and Young Persons Act, 1933 so as to prohibit all labour by children of school age and therefore the prosecution of all early morning work by children, all Sunday work and light horticultural and agricultural work.

1.

Committee on Wage Earning Children Letter October 1942: During the debate over 1944 Education Bill a cross-party group of MP's sought to move an amendment, which, if passed, would have ensured that administrative responsibility for school children's employment was, as requested by the CWEC, transferred to the Board of Education. However, following strong Home Office resistance to the proposal their amendment was defeated. (Public Record Office Image Library)

the present administration now took a view which went further than the Labour government had been prepared to go"⁽³⁰⁾.

Anderson also stated that whilst other countries might sign up to such a Convention, unlike Britain, they would not enforce it, placing this country at a competitive disadvantage. Having been reminded of the outrage employers may have expressed had he been prepared to countenance labour market reforms over and above those envisaged by the Labour Government, Samuel capitulated and the Home Office's 'departmental view' prevailed. Hence, as had been the case the previous year, the British Government's delegation attending the 1932 ILO conference opposed any measures that went beyond the British system of regulation. For instance, the Draft Convention stipulated 8 am as the earliest hour at which employment could commence, but Britain insisted that this should be changed to 6 am, thus allowing employment before school hours. Britain also objected to the prohibition of employment on Sundays and public holidays, and opposed the decision to stipulate which 'light' employments should be allowed, and how many hours labour should be permitted in any one day/week. These matters, the head of the British delegation argued, "*should be left to the competent authority in each country [...] after consultation with the principal organisations of employers*". He also made it clear that there was no room for compromise on these issues. If these regulations were confirmed by the conference, it would be impossible for the British government to accept the Convention either now or probably for a long time to come.

Naturally, Elvin, the head of the British workers' delegation at the Geneva Conference, expressed his outrage at the recalcitrant stance taken by the head of the British delegation:

"I want to make it perfectly clear to the Conference that so far as the British working-class movement is concerned, organised labour, if it were here, would be considerably disappointed at the speech to which the Conference has just listened [...] I want to say that in my opinion we have just listened to one of the most reactionary speeches that I have ever heard delivered from this rostrum"⁽³¹⁾.

Delegates heeded Elvin's call for the Conference to reject by a very large majority the proposal of the British Government and the changes advocated by Britain's delegation were defeated by 54 votes to 47.

The ILO adopted the Minimum Age (Non-Industrial Employment) Convention on 30th April 1932. Against Britain's wishes, it restricted 'light' employment to two hours on school days and prohibited work of any sort between 8 am and 8 pm, effectively ruling out employment before school. The Home Office's efforts to dilute the ILO's attempts to strengthen international law had, therefore, failed. However, in Britain the Home Office's 'departmental view' continued to dominate the policy process, and unlike in Austria, Belgium, France, the Netherlands and Spain, the Minimum Age Convention was never ratified. Throughout the rest of the inter-war period, Home Office civil servants continued to use their influence to steer ministers away from child employment policies which they regarded as 'unsound', and towards an approach

which coincided more strongly with their own 'orthodox' views on social policy and labour market intervention. The disdain with which child welfare organisations continued to view the department's administration of the law was still evident in October 1942. Then, the Home Office received a letter from the CWEC, which as well as calling for the prohibition of all labour by children of school age, demanded the transfer from the Home Office to the Board of Education of existing powers in regard to child employment⁽³²⁾.

The Enduring Influence of the 'Departmental View': Attitudes Towards Child Employment 1993-2000

The rest of this discussion is devoted to an analysis of the extent to which the principles established by the Home Office during the first few decades of the twentieth century have continued to inform more recent child labour policy debates and developments in Britain. It focuses on the three main elements of Home Office's approach towards child labour regulation and begins by assessing whether a 'public order' conception of school children's work has shaped recent debates. It goes on to examine whether the notion that employment is an 'educational' and beneficial activity still commands general support and considers the extent to which recent child labour policies have been influenced by an ideological aversion to labour market regulations. The assertion that work provides a useful non-institutional means of controlling levels of delinquent behaviour amongst school children has, in fact, frequently been advanced in recent years as a justification for permitting their continuing employment. Indeed, such 'public order' justifications for child labour have lately undergone something of a renaissance, with ministers in the previous Conservative government frequently utilising them when dismissing calls for further child employment regulation. For example, in 1993, Michael Forsyth, then Employment Minister, justified his resistance to the European Commission's initiatives on child labour by arguing that employment provided a "*constructive outlet for their [school children's] energies and reduced juvenile crime*". Likewise, in 1994, Gerald Malone, the then Conservative Minister for Health, responded to the Labour Party's demands for tougher laws and stricter enforcement of child labour legislation by arguing that at a time when there were so many complaints about children hanging around street corners with nothing to do it was senseless to then make it difficult for them to be usefully employed⁽³³⁾.

As in the past, such claims appear to be based upon intuitive feelings and common-sense assumptions rather than empirical evidence. In fact, public order justifications for school children's work have remained largely under-researched and uncontested in Britain. Studies conducted in the United States, though, suggest that the link between child employment and 'legitimate' patterns of behaviour may not be as strong

as advocates of child labour imply. Indeed, Greenberger and Steinberg concluded that working children were more, and not less likely to be involved in certain deviant activities than their peers who [were] not employed. They argued that public order justifications for child labour have presented an idealised picture of the adolescent workplace. First, they ignore the 'inducements' to deviancy (e.g. workplace theft) associated with many boring, unsupervised jobs performed by school children. Second, they do not consider the possibility that children's 'opportunities' to engage in illegal acts (e.g. gambling, smoking, drinking alcohol) are further enhanced by the mere fact that they are in receipt of a wage⁽³⁴⁾. Comparable research to that of Greenberger and Steinberg's has yet to be conducted in Britain. However Davies' 1972 report, *Work Out of School*, did conclude that working children were less well-behaved and more likely to play truant than those not employed. Davies' discovery of a link between employment and truancy has, as already noted, recently been confirmed by the TUC's 2001 report *Class Struggles*.

The notion that school children's work is an educationally beneficial and worthwhile activity has also continued to command general support, particularly among Conservative analysts and politicians. Hence, at the 1990 Conservative Party Conference, the right-wing commentator Roger Scruton insisted that "*many a 14 year old set to work as a builders apprentice, an electricians mate or a stable hand would learn more than he ever could at school, while acquiring independence, responsibility and self respect*". Likewise, the Conservative Sir Alfred Sherman called for underachieving 14-year-old children to be withdrawn from school and sent out to work full-time in industry. He argued that boys who would make good apprentices and juniors at 14 resented being kept on at school for two more years, and disliked being forced to endure lessons which were largely irrelevant and above their heads. Sherman suggested that the Government should consider whether it might not be better to allow non-academic working-class youth to be "*absorbed into the highly educative experience of work at 14*". Whilst the Conservative Government did not pursue these more extreme recommendations, ministers did emphasise the 'educational', 'character building' aspects of children's work. In 1994, Gerald Malone, then the minister responsible for child employment, responded to the Labour Party's calls for more stringent restrictions on child labour by accusing it of "*reinventing the nanny state, for aiming to clamp down on the ability of children to gain experience of the world at work*". During the same year David Hunt, the Employment Secretary, responded to the EC's initiatives on child employment by claiming that child work in Britain was already strictly regulated and that further regulation would unnecessarily restrict the opportunities for children to engage in healthy, beneficial forms of employment⁽³⁵⁾.

As in the past, little concrete evidence has been presented to support the claim that work has any intrinsic, educationally beneficial qualities. Indeed, as was the case during the period discussed earlier, most of the available evidence has pointed to the opposite conclusion. The TUC's recent documentation of the detrimental impact of employment on education has already been briefly alluded to. These findings merely

Boy, 15, died working in factory

John Mullin

HEALTH and Safety Executive officials are considering whether to prosecute a metal finishing firm in Birmingham where an illegally employed schoolboy died after breathing solvent fumes and collapsing into a vat of water.

Several youngsters throughout the country have recently died or been seriously injured while working part-time.

Richard Wittington, the coroner at a Birmingham inquest yesterday, deplored the death of Dean Allsopp, aged 15, a promising footballer. It is illegal to employ anyone under school-leaving age in a factory. The jury brought in a verdict of death due to misadventure.

Allsopp, of Kingstanding, Birmingham, was working part-time at Hi-Lite Metal Finishing to save money for his latest passion, fishing, the jury was told. While siphoning the vat, he suddenly collapsed, and his body was found submerged. He was taken unconscious to the City Hospital, Birmingham, and was in a coma for a week

before he died last June. Allsopp, who was with Aston Villa's school of excellence, got the job through a relative at the factory.

He had suffered from the effects of a solvent used in degreasing called Trichloroethylene. Henry Thompson, consultant pathologist, said Allsopp had died because of a lack of oxygen due to drowning. But he also suffered from a heart disease called hucum, and exposure to the solvent contributed to his heart failure.

Nerys Williams, the senior employment medical adviser for the Health and Safety Executive, said Allsopp had probably inhaled the solvent when chatting with a colleague in the degreasing room. "Trichloroethylene can make the heart work faster. It would be feasible that while at the tank Dean suffered a disturbance of the heart rhythm which caused him to fall in the water."

Nigel Long, a factory inspector, was concerned that the degreasing tank had no ventilation. The executive was unaware the firm had moved to the factory and so had never inspected the premises.

As the above newspaper cutting illustrates, children in Britain have been found working in conditions that are unfit even for adult workers (The Guardian, 29.03.1995)

confirm its earlier discovery that up to twenty eight percent of working children were too exhausted to complete their homework or school work because of their paid jobs. A detailed investigation by the influential Institute for Fiscal Studies also found that employment could have a negative impact on schoolwork. This showed that teenagers who supplemented their pocket money with earnings from part-time employment tended, on average, to do twenty five percent less well at examinations than their non-working peers⁽³⁶⁾.

It is, perhaps, worth pointing out that organisations campaigning for child labour reform in Britain tend not to be opposed to children's work per se. Indeed, most accept that properly organised forms of work experience where, for example, children's employment is properly regulated (by the state) and carefully monitored (by trade unions, schools and parents), can achieve some of the positive effects its advocates claim. However, there is a general consensus among activists that the overall picture of children's work in most advanced capitalist societies is not impressive, and that few children are given the chance to learn or practice skills which might be of use to them in any future adult employment. As James Challis has argued, the idealistic picture of a well trained, highly motivated child labour force in Britain contrasts sharply with the brutal realities faced by the *"raggle taggle army of cold children and young people carrying damaging heavy loads, and riding unlit bicycles on dark streets"*⁽³⁷⁾. Certainly, as Michael Lavalette points out, it is not clear what adult contact milk and newspaper delivery workers receive; nor indeed what preparation these jobs give children for the types of work they will perform when they enter the adult labour market⁽³⁸⁾.

The Home Office's orthodox views on labour market regulation have also had an enduring influence on child employment policy. In this respect, the degree of continuity in the position taken by the Home Office between 1929-1932 and that adopted by John Major's Conservative Government to the framing and subsequent enactment of the EC's 1994 Directive on the Protection of Young People at Work is striking. This Directive aimed to do little more than standardise a minimum level of child labour regulation across the EC. It did not seek to prohibit the employment of school children, but merely to limit the hours they could work so as to protect them from economic exploitation and against any work likely to harm their safety, health or physical, mental or social development or to jeopardise their education⁽³⁹⁾.

It will be remembered that in 1931 the Home Office drew attention to what it felt was the inappropriateness of international legislation that did not take into account the social, cultural and economic traditions of different nation states. Other nations were accused of seeking to place Britain at a competitive disadvantage, and a considerable amount of emphasis was placed on the harm the proposed regulations would cause to trades employing children. In 1993, the then Conservative Employment Minister, Michael Forsyth, objected to the proposed EC Directive on child labour for precisely the same reasons. It would, he argued, create great difficulties for many small busines-

ses up and down the land. To be competitive Britain needed an open labour market and *“not the sort of regulation that destroys competitiveness and the ability to create wealth”*. Forsyth accused other member states of trying to *“impose arbitrary, unnecessary and damaging additional restrictions on British businesses so as to reduce our competitive advantage”*, and he insisted that existing legislation in the UK was appropriate for our circumstances culture and traditions⁽⁴⁰⁾.

Ultimately, the Conservative Government managed to secure an opt-out from the relevant clauses of the 1994 Directive until 22nd June 2000. In the meantime, it set about weakening rather than strengthening Britain’s child labour regulations. For instance, under the Children and Young Persons Act, 1933, the employment of school children on Sundays was restricted to two hours between 7 am and 11 am. In 1995, the Department of Health, the government department now responsible for school children’s work, announced that it was planning to remove this ‘archaic’ restriction and increase to five (or eight in the case of fifteen-year olds) the number of hours children were to be permitted to work. This change was linked directly to the government’s recent relaxation of Sunday trading regulations, which allowed retail outlets to open for longer hours on that day. The intention was to bypass trade union resistance to Sunday trading and to allow employers to avail themselves of a valuable source of cheap, acquiescent child labour. As Paul Boeteng, the Labour Party’s spokesperson on this issue subsequently argued, the proposal would have *“led to the substitution of workers for teenagers, and have amounted to allowing toys made by poor hands in the third world to have been sold by young hands in this country”*⁽⁴¹⁾.

Clearly, the Conservative Government’s position had much to do with its fetish of deregulation and its dogmatic belief in the desirability of ‘flexible’ labour markets. Its ideological aversion to regulatory social legislation has been exhaustively documented, and, in this respect, its opposition to the EC Directive, and its attempts to deregulate child labour, did mirror moves made in other spheres to reduce social protection and ‘free-up’ labour markets⁽⁴²⁾. To what extent, though, might its stance have been influenced by the conservative views of civil servants? Given that the British machinery of government is notoriously secret, and that advice given to ministers remains classified for at least thirty years, the extent to which permanent officials influenced the approach adopted is impossible to establish definitively. However, the Labour Party was elected to govern Britain in May 1997, and as already indicated, in opposition Labour had been a strong advocate of child labour reform. It may be that an analysis of the progress it has made in this area (and of the reaction of officials proposals for reform) can help our understanding of whether the pervasive ‘departmental view’ so evident in the Home Office for much of the twentieth century still survives today.

The Labour Government and Child Labour Reform

As was the case in 1929, when the incoming Labour Government took office in May 1997 child labour reform appeared to be back on the political agenda. On the one hand, the national publicity given to what one Health and Safety factory inspector referred to as the “*steady trickle of serious accidents to children illegally employed*” served to challenge the notion that child employment was necessarily a ‘healthy’, ‘beneficial’ pastime. On the other, many of Labour’s own supporters were calling for the implementation of additional restrictions on child labour. For instance, the General Municipal and Boilermakers Union (GMB), one of the Labour Party’s strongest political allies and financial backers, called for the introduction of much tougher regulations and sanctions after its investigations had found “*widespread, systematic and blatant disregard of the law by Britain’s employers - large and small*”. Likewise, the TUC demanded proper safeguards be implemented after its 1997 inquiry, *Working Classes*, concluded that employment was “*clearly having a bad effect on school performance and that a substantial number of those surveyed were putting their health at risk*”⁽⁴³⁾. It was not long before the government responded to the growing levels of concern, and in December 1997 Ministers announced that they would fulfil the commitment they made in opposition to implement the EC Directive on child labour. They also revealed that an inter-departmental civil service review of all legislation on child employment, which would look at the possibility of whether measures over and above those included in the EC Directive were necessary, would be undertaken. Campaigners for child labour reform welcomed the more robust language used by Labour Ministers, and their overt rejection of the previous government’s stance. Paul Boateng, the Parliamentary Under-Secretary for Health, made the following comments:

“We must be sure that children who work are protected from exploitation by unscrupulous employers. Cowboy employers who deceive children into working in sweatshops will not be tolerated. We have a duty to safeguard children’s welfare and education with rigorous rules which can be effectively enforced [...]. A proposal by the previous Government to allow children to work up to eight hours on a Sunday is dead in the water. Children need time with their families, friends and schoolwork”⁽⁴⁴⁾.

It was in such a context that the backbench Labour MP Chris Pond, a long time campaigner for tighter restrictions on school children’s work, introduced an Employment of Children Bill into the House of Commons. As well as changing British legislation to comply fully with the EC Directive, the Bill proposed to introduce a number of additional restrictions on the employment of school children⁽⁴⁵⁾. Ministers in the new Labour administration supported many elements of Pond’s Bill, and Boateng committed the government to implementing a number of measures included in it into its own future proposals. How, though, did civil servants respond to this and other attempts to initiate reform?

It will be remembered that between 1929-1931 child labour reform was frustrated and obstructed by Home Office officials. Against the advice of their own advisers and supporters, Labour Ministers were persuaded that the British system of child labour regulation was adequate and that the measures proposed by, among others, Sorensen, the LPEAC and the ILO, were unnecessarily burdensome. Although, for reasons already outlined, we cannot establish precisely the policy advice given more recently to Labour Ministers, it is possible to identify some similarities between the recalcitrant stance adopted by civil servants between 1929-1931 and the approach taken today by Department of Health officials. For example, despite Boateng's favourable comments on Chris Pond's Employment of Children Bill, it is clear that civil servants working under him were less enthusiastic about the relatively moderate proposals it contained. Thus, the Department of Health's *Parliamentary Briefing* on the Bill, which summarised its view of the measures included in it, accused Pond of endangering 'harmless' and 'beneficial' forms of employment. The Bill, officials argued, would make it much more difficult for potential employers, particularly those involved in newspaper distribution, to avail themselves of child workers. Pond was perplexed by the clear difference in the way ministers and officials approached the provisions of the Bill. Whilst welcoming Boateng's supportive comments, he pointed out that civil servants in the minister's department were seeking to misleadingly encourage the notion that the Bill might threaten the delivery of newspapers by children when in fact it proposed to do no such thing. He accused civil servants of basing their Briefing on false statements made by the Newspaper Society, the trade association representing newspaper publishers⁽⁴⁶⁾. If this were so, it would not be the first time civil servants had sought to frustrate legislative change and to actively promote trade interests. More recently, further evidence of civil service opposition to the principle of reform has emerged. In a development that echoes the experience of the 1929-31 Labour Government, Labour Ministers who were concerned about the impact of child employment on education, and who wanted to bring British legislation quickly in line with the EC Directive, are reported to have "*faced resistance from officials who wanted them to maintain the status quo*"⁽⁴⁷⁾. Finally, the much-vaunted inter-departmental review of child employment legislation has resulted in few, if any, concrete proposals. Like all the other departmental and inter-departmental reviews into child labour conducted this century, the principle aim appears to have been to delay and deflect proposals not in accordance with official, i.e. departmental, thinking⁽⁴⁸⁾.

Conclusion

As already stated, this brief discussion is not intended to be a comprehensive history of child labour regulation in twentieth century Britain. What it does illustrate, however, is the extent to which the ideas and beliefs that underpinned the Home Office's ap-

proach to child labour regulation during the first few decades of the twentieth century continue to have an enduring influence at the start of the twenty-first. It shows that the assumptions that shaped the actions of, and the advice given, by officials in inter-war Britain, still inform the way commentators, politicians, and (apparently) civil servants think about child labour. In this respect, the 'departmental view' fostered and defended by the Home Office throughout the period examined earlier, lives on in policy and practice today.

- (1) See, for example: PINCHBECK and HEWIT, *Children in English Society*, Volume 1, 1969, London: Routledge and Kegan Paul; E.P. THOMPSON, *The Making of the English Working-Class*, Harmondsworth: Penguin, 1968; J. WALVIN, *A Child's World: A Social History of English Childhood*, Harmondsworth: Penguin Books, 1982.
- (2) D. ROBERTS, *The Victorian Origins of the British Welfare State*, London: Archon Books, 1969; K. CLARK, *The Making of Victorian England*, London: Methuen, 1962.
- (3) E. and R. FROW, *The Half Time System in Education*, Manchester: E J Moxton, 1970; H. CUNNINGHAM, *Combatting Child Labour: The British Experience*. In: H. CUNNINGHAM and P.P. VIAZZO (eds.), *Child Labour in Historical Perspective, 1800-1995: Case Studies from Europe, Japan and Columbia*, Florence: Unicef, 1996.
- (4) E. DAVIES, *Work Out of School: The Emrys Davies Report*. In: *Education*, 10.11.72.
- (5) E. MacLENNEN e.a., *Working Children*, p. 18, London: The Low Pay Unit, 1985.
- (6) TUC, *Class Struggles: A Survey of School Age Employment in England and Wales*, London: TUC Organisations and Services Department, 2001, p. 4.
- (7) E. MacLENNEN e.a., *Working Children [...]*; C. POND and A. SEARLE, *The Hidden Army: Children at Work in the 1990s*, London: Low Pay Unit, 1985; M. LAVALETTE, e.a., *The Forgotten Workforce: Scottish Children at Work*, Glasgow: Scottish Low Pay Unit, 1991; M. LAVALETTE, *Child Employment in the Capitalist Labour Market*, Avebury: Aldershot, 1994; M. LAVALETTE e.a., *Child Employment in Britain: Policy, Myth and Reality*. In: *Youth and Policy*, 1995; TUC, *A T.U.C. Report on School Age Labour in England and Wales*, London: TUC, 1997; B. PETTITT (ed.), *Children and Work in the UK: Refocussing the Debate*, London: CPAG, 1998; M. LAVALETTE (ed.), *A Thing of the Past? Child Labour in Britain in the Nineteenth and Twentieth Centuries*, Liverpool: Liverpool University Press, 1999.
- (8) M. LAVALETTE, *Child Employment [...]*; V. MORROW, *A Sociological Study of the Economic Roles of Children, with Particular Reference to Birmingham and Cambridgeshire*, PhD, Cambridge, 1994.
- (9) *The Times Educational Supplement*, 05.10.29.
- (10) V. DAVIES (Conservative, Royton), *Hansard*, Vol. 230, c. 1841, 29.11.29.
- (11) J. PELLEW, The Home Office, 1848-1914: *From Clerks to Bureaucrats*, London: Heinemann, 1982, p. 90.
- (12) R. DAVIDSON, *Whitehall and the Labour Problem in Late-Victorian and Edwardian Britain*, London: Croom Helm, 1985, pp. 182-3.
- (13) The Committee on Wage Earning Children drew its membership from a wide number of organisations with an interest in the welfare of children, e.g. Members of Parliament, London County Council, National Union of Teachers, University Settlements, Cooperative Union etc. For a full list of the Executive Committee and other leading national organisers see: ADLER, Executive Committee on Wage Earning Children. In: Home Office, *Report of the Inter-Departmental Committee on the Employment of School Children*, Appendix 26, 1901, HMSO, cd. 849. The CWEC was to remain the major campaigning group on child labour up to, and beyond the Second World War.
- (14) Board of Education (4/7/17) *Note to the President of the Board of Education, H.A.L. Fisher, from the Permanent Secretary of the Board, Sir L. A Selby-Bigge*, Public Records Office (hereafter PRO) ED 24/1456. During the formulation of the 1918 Education Act, the Board of Education fought unsuccessfully to gain control over legislation relating to school children's employment. Its 'bid' for administrative responsibility was supported by, among others, the Association of Directors and Secretaries for Education, the National Association of

- Education Officers, the National Union of Teachers and the National Association of Head Teachers, all of which were critical of the Home Office's record: Board of Education (3/7/17) *Handwritten memorandum relating to the employment of children and the opinions of educational bodies on who should be the Central Authority*, PRO ED 24/1456. For a more detailed discussion of the deliberations over which department should be the designated central authority see S. CUNNINGHAM, *Child Labour in Britain 1900-1973*, PhD, University of Central Lancashire, 2000.
- (15) *Hansard*: Vol. 139, c. 1015, 04/08/08.
 - (16) Home Office, *Report of the Departmental Committee on the Employment of Children Act, 1903*, Minutes of Evidence, especially paragraphs 14, 91, 178, 225 and 227, HMSO, cd. 5229, 1910.
 - (17) For the testimony given to contemporary child labour investigations see the Minutes of Evidence in the following reports: Home Office, *Report of the [...]*, 1910; Home Office, *Report of the [...]*, 1901. For an insight into the Board of Education's views on child employment see: Board of Education, *Report on some inquiries made by officers of the Board of Education on the Employment of Children Act 1903*, PRO ED 24/1456, c Sept. 1917.
 - (18) Home Office, *Report of the [...]*, 1901, p. 19.
 - (19) Home Office, *Memorandum on the Survey on the Employment of School Children in 25 Representative Authorities*, 1924, PRO HO 45/13722.
 - (20) *The Times*, 11.07.10.
 - (21) TUC, *Annual Report of the Conference Proceedings*, p. 56-7, London: TUC, 1895.
 - (22) J.R. CLYNES, *Memoirs: 1924-1937*, London: Hutchinson & Co. 1937.
 - (23) Home Office, *Memorandum on the Children and Young Persons (Employment and Protection) Bill*, 1929, PRO HO 45/14680.
 - (24) Home Office, *Memorandum [...]*, 1924.
 - (25) Home Office (23/5/31) *Memorandum on the ILO Proposals on the Age of Admission to Children in Non-Industrial Occupations*, PRO HO 45/19463.
 - (26) Labour Party Education Advisory Committee (May 1931) *Memorandum (no. 216a) on a Proposed Employment of Children and Young Persons Bill*, Consulted at the Labour History Archive, Manchester. See also Labour Party Education Advisory Committee (May 1931) *Memorandum (no. 216b) on the Report of the International Labour Office on the age of admission of children into non-industrial occupations*. The LPEAC consisted of a mix of sympathetic educational professionals, such as R.H. Tawney, and Labour MPs with an interest in education-related matters, such as Charles Trevelyan, Ellen Wilkinson, James Chuter Ede and John Strachey.
 - (27) Home Office (22/5/31) *Note to the Prime Minister Ramsey MacDonald from J.R. Clynes, the Home Secretary*, PRO HO 45/19463. As a young socialist activist MacDonald took an active interest in child labour, and gave evidence on behalf of the Committee on Wage Earning Children to the 1901 Inter-Departmental Committee on the Employment of School Children. Then, he declared that he was in favour of the absolute suppression of employment outside school hours: Home Office, *Inter-Departmental [...]*, Minutes of Evidence, 1901, p. 112.
 - (28) *The Daily Herald*, 15.06.31.
 - (29) Home Office, *Summary of information furnished by Local Education Authorities in England and Wales ... as to the employment of children under 14 outside school hours*, PRO HO 45, 17053 & Home Office, *Memorandum on the Survey into the Employment of School Children*, PRO HO 45/19463, 1931.
 - (30) Home Office (17/11/31) *Minutes of a conference held in the Secretary of State's room*, PRO HO 45/19463.
 - (31) League of Nations, *Report of the I.L.O. Conference (15th Session) [No. 26] in Geneva*, p. 386, PRO HO 45/19463, 1932.
 - (32) Committee on Wage Earning Children, *Letter outlining the Committee's proposals for child labour reform*, PRO HO 45/21163, October 1942.
 - (33) For Forsyth's comments see: *Hansard*: European Standing Committee B Minutes, c. 17, 19/5/93. Malone's views were reported in *The Independent*, 29.08.94.
 - (34) E. GREENBERGER and L. STEINBERG, *Why Children Work: The Psychological and Social Costs of Adolescent Employment*, New York: Basic Books, 1986, p. 216.

- (35) Scruton's comments are discussed in M. LAVALETTE, *Child Labour [...]*, p. 14, and Sherman's were reported in *The Guardian*, 12.03.96. The views expressed by Malone and Hunt can be found in *The Independent*, 29.08.94 and M. LAVALETTE e.a., *Child Employment [...]*.
- (36) TUC, *Working Classes [...]*, 1997; For details about the IFS survey: *The Guardian*, 28.02.96.
- (37) *The Guardian*, 08.01.93
- (38) M. LAVALETTE, *Child Labour [...]*, p. 19.
- (39) The limits proposed were 2 hours on any school day and 12 hours per week during term time. In school vacations the limit would be extended to 35 hours per week for those aged between 13-15, and 40 hours for those 15 and over. The maximum number of hours a child could work on non-school days would be 7 hours for those aged 13-15 and 8 for children aged 15 or over. These were the provisions eventually adopted in the Directive: European Commission (22/6/94) Council Directive 94/33/EC on the Protection of Young People at Work, Annex A in Department of Health, *Employment of Children: A Consultation Document*, London: Department of Health, October 1995.
- (40) *Hansard*, European Standing Committee B Minutes, c. 14, 19.05.93.
- (41) *Hansard*, Vol. 305, No. 1776, c. 725-7, 13.02.98.
- (42) For a brief discussion of the correlation between its position on child labour regulation and social policy-matters generally see TUC, *Working Classes [...]*.
- (43) The GMB's concerns were cited in the following publication: House of Commons Library, *Research Paper 98/18: Employment of Children Bill 1997/98*, p. 7. For the TUC's finding that nineteen percent of child workers reported that they had had an accident or injured themselves at work see: TUC, *Working Classes [...]*, p. 9.
- (44) Department of Health, Press Release: *Review of Child Employment law Announced by Paul Boateng*, 11.12.97
- (45) The Bill proposed a weekly 48-hour rest period. It would also have tightened up Britain's notoriously lax system of granting work permits to children. Schools and parents would, had the Bill been passed, have been required to state that prospective employers of children were 'fit and proper' and that the proposed work would not be detrimental children's education or health. In addition, local authorities would be expected to consult with the police to ensure prospective employers had not been found guilty of any sexual offence involving children. *Currently, no such requirements are necessary.*
- (46) *Hansard*, Vol. 305, No. 1776, c. 679-680, 13.02.98.
- (47) *The Daily Telegraph*, 23.05.99. Although the government has since introduced regulations which mean that Britain's child labour laws now comply with the EC Directive, this was not before organizations interested in the welfare of employed children expressed their disappointment at the slow pace of change. See, for instance: Low Pay Unit (3/8/98) *New Rights for Children at Work*; Press Release; GMB UK School Children at Work, *Why Local Authorities Must Enforce the Law*, London: GMB, 1999.
- (48) Departmental and inter-departmental reviews have been the most favoured means used by permanent officials in the past to obstruct child labour reform. The most obvious and successful such attempt to frustrate progressive legislative change began in 1944, when senior Labour politicians sought to strengthen the child labour provisions contained in the wartime Coalition Government's 1944 Education Act. For more information about this and other attempts to block the implementation of tighter child labour regulations see S. CUNNINGHAM, *Child Labour [...]*.