

Sarah SINGH: “Vulnerable” Children and “Wicked” Mothers: Responses to Vulnerability in the Criminal Justice System.

This poster explores the imposition of relational responsibility on vulnerable women. This is in the context of the failure to protect offence contained in the Domestic Violence, Crime and Victims Act (2004) (As amended) s. 5, a provision which is frequently used to criminalise mothers who are themselves victims of domestic abuse.

The central argument of the poster is that ideological constructions of motherhood have led to the development of stereotypical ‘tropes’ of ‘good’ and ‘bad’ mothers. These ‘stock stories’ are used in the court room to demonstrate the defendants’ failure to adhere to the idealised standard of motherhood and thus justify the punishment of vulnerability. The poster refers to case law, namely *R v Green and Critchley* (2013) (Unreported), to illustrate how cases such as this are particularly susceptible to gender stereotyping, as stock stories offer up essentialist culturally recognisable explanations for maternal failure.

Expanding on Fineman’s (2008) construction of vulnerability analysis, this poster explores how the Criminal Justice System inadequately responds to the relationality between mother and child in this context. We currently have a tendency to privilege ‘inevitable’ vulnerability over ‘derivative’ vulnerability and thus, in creating (and perpetuating) this hierarchy, fail to respond to the relational vulnerabilities shared by mother and child.