

## Dean Strang

On Wednesday, Dean Strang visited UQ and was hosted by the TCB School of Law. Dean Strang is probably best known as one of Steven Avery's attorneys in the murder trial made famous by the cult classic, *Making a Murderer*. In a candid and conversational Q&A, UQ students had the chance to put to Dean burning questions about the hit documentary and gain insight into his life as a criminal defence lawyer.

Dean, by his own account, never aspired to be a lawyer, and somewhat stumbled into practice after deciding that a career as a political cartoonist was not a sensible vocation. At the time, legal studies had an almost guaranteed job at the end and for Dean it was a way of putting off questions about what he was going to do in life. Initially a civil lawyer dealing with pensions and corporate law, Dean 'fell in with' a group of public defenders, though his interaction with criminal law was initially on the prosecution side. At the end of 10 apparently disastrous months as a prosecutor, he took a job as a public defender and has remained in defence ever since.

When asked why he took on Steven Avery's case, Dean said his motivation was both idiosyncratic and altruistic: idiosyncratic as he had a point to prove after several years as a defence lawyer in the federal system that he could still walk into a state court without making a fool of himself; altruistic because he knew about Avery's previous wrongful conviction and was aware of the strong public outcry after his re-arrest. According to Dean, a defence lawyer needs to be able to look at a person who may be incredibly unpopular in the public's eyes and feel a need to defend them. This is just one of the glimpses of Dean's passion for justice that have shaped his life and career.

Dean was asked whether he had ever represented a guilty client. His response: yes, frequently. However, he said that he was yet to be approached by a client who was open about their guilt but insisted on Dean working towards an acquittal. According to Dean, many of his 'guilty' clients merely wanted the best sentencing option, or to know their chances of obtaining a lower fine. Dean said that there had been clients who appeared to be lying when asserting their innocence, but made the important point that it is not his role to be a judge, just to be a representative. Indeed, where lawyers pre-judge their client's guilt, they may themselves become an instrument of a wrongful conviction.

There was some discussion about the current public fascination with true crime stories like *Making a Murderer* and *Serial*. According to Dean, the public is less enthralled by the *true crime* and is more interested by the *perceived injustices*. As Dean pointed out, the younger generations access media in a very different way to those who grew up before the advent of the internet and this influences how news stories are consumed and analysed. While true crime is not a new medium, the public seems more and more interested with the process rather than the outcome. The public seems to be content to be given an equivocal answer at the end of a television show as long as the grey area of the case is investigated thoroughly on the way.

Dean did, however, make the point that there is some danger in true crime becoming the subject of entertainment if the audiences forget that the 'characters' are really *people*. On one level, if entertainment is just how we spend our free time, then learning about true crime is a reasonable exercise. It can prompt audiences asking questions and critically analysing the institutions that govern their lives. But if audiences are not asking questions, and get lost in the drama, then it starts becoming more of an impermissible intrusion into a very private traumatic event. At the end of the day, the victim's family never asked for their grief to be put on camera.

In reflecting on the changes to the criminal justice system that he has witnessed during his career, Dean highlighted two major changes. The first was DNA evidence. While acknowledging that DNA evidence is only conclusive in a small number of cases (ie it does not speak to the presence or absence of consent in sexual assault cases, nor does it have any bearing on 'pen cases' such as fraud), Dean felt that this was an incredibly important development and one that had the potential to revolutionise criminal law. The second was the prevalence of audio and video recording of police interviews. Dean lamented the reluctance of certain US state police departments to adopting continuous recording of police interviews, and felt that this type of practice was vital to the proper working of the justice system.

To conclude, Dean was asked what advice he would offer to law students. His response gave great insight into Dean as a person and a professional. He said it is important to hold on to our humanity. Both as a lawyer and as a person it is important to remember to be humble and to be human. This resonated very strongly with the audience. Dean emphasised that regardless of what area of law we enter, whether it be corporate law or criminal law, these two qualities are essential to being successful. Without humanity, we risked losing ourselves in pointless competition and bringing misery to ourselves and our colleagues. Without humility, we would succumb to the power and ego that comes with being a lawyer. This was a wonderful message, particularly in light of the high rate of mental health issues which plague our profession. As long as we treat each other and ourselves as humans with emotions, aspirations and fears, and recognise that our clients are people, not cases, then the role of lawyer can be an extremely fulfilling and wholesome one. We thank Dean for this valuable advice.