

This summer, I spent two months interning with the Texas Defender Service (TDS) in their Austin office. TDS aims to promote a fair and equal criminal justice system by providing a better quality of representation to individuals facing the death penalty as well as by pushing for reform of the deeply flawed system.

In the run up to the trip we received training from Amicus, a death penalty charity, which promotes the relief of suffering and distress to those persons who are awaiting execution and aims to ensure the preservation of their rights of appeal and that their imprisonment is administered humanely. We were introduced to the American appeals system, given some historical and constitutional background information and had several interactive sessions on how to look through discovery information and interact with clients.

Upon arrival, my first task was to code juror questionnaires. For capital murder cases in the US it is required that the jury be 'death-qualified', meaning that they are willing to impose the death penalty in certain circumstances. The jury selection process is often lengthy and very expensive, and prospective jurors are given a long questionnaire to fill out which is designed to shed light on what kind of person they are, their politics, their views on the criminal justice system and capital punishment, and any biases or prejudices they may have. My job was to read through the answers and 'code' them in a document as an overview of each individual, highlighting those who were likely to administer the death penalty without considering all (or any) of the evidence. Needless to say, there were some pretty disturbing opinions amongst the answers.

I also spent a great deal of time sorting through discovery documents, flagging anything of importance and sorting them into logical orders which allowed me to watch interviews with witnesses and defendants, as well as read through the paperwork of attorneys. I also frequented the courthouses in Austin to search through databases for files for mitigation purposes, as well as travelling to the nearby counties of Georgetown and Williamson, getting to experience real life small-town Texas along the way. I noted with concern how frequently the vast majority of lawyers were white and the vast majority of defendants were African American. I also saved PDF documents of news and media articles referring to clients to keep tabs on the way in which they were being portrayed to the public.

One of the most interesting aspects of the trip thus far was travelling 4 hours north to Tyler, Smith County, to watch a capital trial. The defendant was representing himself, despite the fact that he has no legal experience. It was fascinating to see the difference between Texan courts and my experiences of English criminal courts. The District Attorney's opening speech was so dramatic and emotive compared to the professionalism and academic stance of prosecutors at home. The defendant himself managed to make a mockery of the criminal justice system, objecting to every single thing the prosecution says and cross-examining witnesses in the most bizarre ways imaginable. It seems impossible to imagine such scenes playing out in an English court.

In a separate trial, I was reminded of the amount of responsibility placed on interns and newly-qualified lawyers in capital defence work when I was called upon by one of the attorneys, during a 10 minute break in the trial, to explain a draft I had written which the defence team was planning to use in the next session. As a student with only two years experience (in an entirely different jurisdiction), this was fairly terrifying.

The most overwhelming and memorable part of my experience was undoubtedly visiting the clients at the Polunsky Unit. This part is the most difficult to articulate so I should simply say that, although I was fairly nervous before my first meeting, I soon came to care for them very much and I think of them and the conversations we shared often.

I feel I've learnt a lot about the way in which criminal justice is served in Texas and how the attorneys approach the cases. Watching the (somewhat farcical) capital trials and learning about the history and childhoods of some of the clients has truly emphasised how important it is that the defendants receive adequate legal advice. There may be some way to go before the death penalty is abolished but organisations like TDS are doing their best to secure some form of equal justice in the interim.

I'd like to thank Pembroke College and the Mill Lane Committee again for helping me fund this internship. It was truly invaluable.

