JOHN McKECHNIE

John Roderick McKechnie, Western Australia’s first Director of Public Prosecutions and a current justice of the State Supreme Court, was born in Perth on 1 November 1950. His father was a chartered engineer, his mother a housewife. He grew up in Perth, attending Dalkeith State School from 1956 to 1962. He was a member of the Pelican Point Sea Scouts, and spent his weekends sailing and rowing on the Swan River.

In 1963 McKechnie enrolled at Scotch College. He was a shy teenager, and to overcome this he joined the public speaking and debating clubs at Scotch, developing skills that would later serve him as an advocate.

While at Scotch College, McKechnie tried his hand at a number of other activities, including rugby and rowing. His secondary education was, however, overshadowed by the death of his older brother in 1963. McKechnie is certain that this death motivated him to try and compensate his parents for their loss. It gave him the drive to excel in his secondary and tertiary education. McKechnie feels that his dedication to his studies came not from any ingrained work ethic, but from a desire not to disappoint his parents.

After graduating from Scotch College in 1967, McKechnie was undecided about whether to pursue a career in medicine or law. The turning point came when he spent some time with an American lawyer and his family in New York as part of a Rotary Club student exchange program. McKechnie remembers in particular that the American lawyer’s passion for the law inspired him to pursue a career in it.

McKechnie enrolled in the Faculty of Law at the University of Western Australia in 1969 and graduated in 1972. He did not undertake Honours or postgraduate studies, claiming that ‘I didn’t have the brainpower for that’.

During his time at Law School, McKechnie was selected with former State ombudsman Murray Allen to represent the University at the Australian Law Students Association mooting competition in New Zealand. He was elected President of the Association in 1972.

After graduation, McKechnie undertook articles with Jackson McDonald & Co in Perth. He was articled to David Charters and Paul Seaman. He regards the time he spent with them as invaluable. It was with Seaman that McKechnie honed his skills in trial process and litigation.

During this period, McKechnie defended a man who had been charged with motor manslaughter. The Crown Prosecutor, Ron Davies, was apparently impressed by McKechnie’s advocacy skills and three weeks later he was invited to join the Crown Law Department. He accepted.

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1. Later his Honour Judge Charters of the District Court.
2. Later the Honourable Justice Seaman of the Supreme Court.
McKechnie’s initial intention was to spend about five years with the Department before going to the bar. At some stage, however, he was seduced by the nature of the work and the quality of the people in the Department. He spent a great deal of time assisting the then Solicitor-General, Kevin Parker QC. McKechnie practised in a wide range of Crown Law work, including constitutional law, administrative law, personal injuries litigation and criminal matters. He appeared regularly in the Court of Criminal Appeal and the High Court.

Towards the end of 1989, McKechnie took silk. He was 39 years old. A few months later he was appointed Crown Prosecutor. For the first time in his career, he was working solely in the criminal law field.

In December 1991 McKechnie was appointed Western Australia’s first Director of Public Prosecutions. He describes this role as a difficult but rewarding one. Of particular importance to McKechnie was maintaining both independence and accountability to the public. He feels that anyone undertaking the role must command respect, but not popularity.

During his eight-year term as DPP, his Department processed on average around 2,500 prosecutions a year. In 1992 it employed 20 counsel; by the end of his term in 1999, it employed over 50 counsel.

McKechnie’s contribution to the Western Australian legal system was formally recognised in 1999 when he was appointed a justice of the Supreme Court. He remembers feeling that it was an honour to be appointed to the Bench and, at the

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same time, an enormous responsibility. His new role as Supreme Court judge meant
that he now had to consider matters from a different perspective.

McKechnie maintains a number of pursuits outside the courtroom. He has co-
ordinated and taught the Forensic Advocacy course at the University of Western
Australia since 1987 and taught Criminal Law as a Visiting Fellow in 1985-1986. He is
the Chair of the Articled Clerks Training Program and a Council Member of the
Presbyterian Ladies College.

McKechnie feels that it is ‘desperately important’ for lawyers to maintain a
balance in their lives. He has seen too many lawyers unnecessarily sacrificing their
personal lives in the interests of their career. McKechnie is critical of the attitude of
those lawyers for whom family life, sport and other recreational activities are
secondary to the law. He firmly believes that, apart from anything else, lawyers must
have a broad range of experiences outside the law to draw upon if they wish to excel
in that profession.

McKechnie spends as much time as he can with his wife, Beth, and their five
children. He particularly enjoys sailing his catamaran with them.

McKechnie claims that he is a ‘pretty unremarkable person’. However, his
accomplishments as Western Australia’s first Director of Public Prosecutions,
Queen’s Counsel and justice of the Supreme Court of Western Australia suggest
that he is no ordinary lawyer.

[G.M.]