



Premier of Western Australia

Our Reference: 59-169405/CI

The Hon Margaret Quirk MLA
Chair
Joint Standing Committee on the Corruption and Commission
Parliament House
PERTH WA 6000

Dear Ms Quirk

APPOINTMENT OF COMMISSIONER OF THE CORRUPTION AND CRIME COMMISSION

As the Committee is aware, a vacancy for the appointment of Commissioner of the Corruption and Crime Commission will occur due to the term of the current holder of the position of Commissioner, the Hon John McKechnie QC expiring on 28 April 2020.

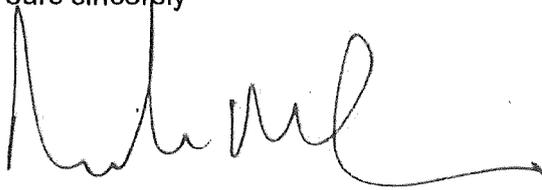
After a national advertising campaign the nominating committee for the Corruption and Crime Commission has now submitted its nomination of three persons who are eligible for appointment as Commissioner to the Corruption and Crime Commission. The nominating committee comprises the Chief Justice, the Chief Judge of the District Court and a community representative, Ms Audrey Jackson. The nominating committee has nominated, as being properly qualified, the following three persons: the Hon John McKechnie QC, the Hon John Rau SC and Mr Christopher Shanahan SC. A copy of the nominating committee's report and *curricula vitae* of the nominees are enclosed for your information.

Under the Act, I am required to recommend the appointment of persons from this list and I propose to recommend to the Governor that Mr McKechnie be re-appointed as Commissioner. Mr McKechnie was appointed Commissioner on 28 April 2015. He was a very well respected judge of the Supreme Court of Western Australia. I agree with the nominating committee's view that Mr McKechnie is the outstanding candidate and that he has demonstrated capacity in the Commissioner's role, which he has performed independently and with great integrity.

The Act requires that I consult with the Standing Committee before any appointment is made, in order to ascertain whether the appointment has the support of the majority of the Standing Committee and "bi-partisan support" (that is support of members of the Standing Committee who are also members of the Liberal Party and the Australian Labor Party).

I would appreciate it if you could advise at your earliest convenience whether Mr McKechnie has the support of the majority of the Standing Committee and bi-partisan support.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mark McGowan', with a long horizontal flourish extending to the right.

Mark McGowan MLA
PREMIER

Enc:

-- 5 MAR 2020



Premier of Western Australia

Our Reference: 59-169405/ 59-184438

Ms Margaret Quirk
Chair
Joint Standing Committee on the Corruption and Crime Commission
jscccc@parliament.wa.gov.au

Attention: Vanessa Beckingham (Principal Research Officer)

Margaret
Dear Chair

REAPPOINTMENT OF MR JOHN McKECHNIE QC

I would like to re-confirm my nomination of Mr John McKechnie QC for reappointment as the Commissioner of the Corruption and Crime Commission for a five-year term.

The Leader of the Opposition has urged that I resubmit Mr McKechnie's nomination to you and I enclose her letter to me dated 14 April 2020.

All other relevant papers have been previously forwarded to your committee.

As you are aware, Mr McKechnie's current term expires on the 28th of April and if the committee is unable to provide bipartisan and majority support for Mr McKechnie's nomination, his term will expire at the close of business on that day.

Could the committee kindly give my request for reconsideration your most urgent attention.

Yours sincerely

Mark McGowan MLA
PREMIER

Att.

16 APR 2020



Hon Liza Harvey MLA
Leader of the Opposition

Our Ref: L20-586
Your Ref: 59-190685

Hon Mark McGowan MLA
Premier
2 Havelock Street
WEST PERTH WA 6005

Dear Premier *Mark*

APPOINTMENT OF A CORRUPTION AND CRIME COMMISSIONER

I refer to your correspondence 14 April 2020 concerning your intention to introduce legislation to secure the appointment of Mr John McKechnie QC.

I understand this is in response to the Joint Standing Committee on the Corruption and Crime Commission (JSCCCC) being unable to reach bipartisan support and majority support for your nomination of Commissioner McKechnie.

I would have thought, in the interest of procedural fairness and just good manners prior to Commissioner McKechnie's nomination going forward to the JSCCCC, that you would have consulted with me and I would have been in a position to provide unequivocal support for the Commissioner's nomination.

You chose, however, not to consult me and instead once you had received advice from the JSCCCC, decided to write to me after a decision had been made by the Parliamentary Committee.

I regard Commissioner McKechnie as a person of the highest integrity. His career spanning over thirty years as the state's Director of Public Prosecutions, as a judicial officer to the Supreme Court of Western Australia and in his current role as a Commissioner of the Corruption and Crime Commission categorises him, in my view, as an outstanding candidate to continue in the role of Commissioner.

2.

I support his re-appointment unequivocally.

I recommend as the process of appointment is still underway, that you resubmit his nomination to the JSCCCC with my letter of support. You should also request to appear before the Parliamentary Committee, to present the case for the Commissioner's re-appointment.

Had you made me aware that you had submitted his nomination in the first place, you would have had my letter of support and there may have been no need for this discourse to have played out in the way it has.

The introduction of this legislation at the time of the COVID-19 crisis is totally unnecessary in my view, when the Parliament should be totally focussed on the health and economic well-being of the community.

Your sincerely

A handwritten signature in black ink that reads "Liza Harvey". The signature is written in a cursive, flowing style.

Liza Harvey MLA
Leader of the Opposition

14 April 2020