NEW ZEALAND LAW FOUNDATION
2015 ETHEL BENJAMIN SCHOLARSHIP JOINT WINNER

Rebecca Thomson
University of Otago

There are two Ethel Benjamin Scholarship winners in 2015. The recipients of this year’s New Zealand Law Foundation award are Rebecca Thomson and Stephanie Thompson.

**Rebecca Thomson** graduated from Otago University in 2010 with an LLB (Hons) and BA (Hons) in Philosophy and Political Studies.

At the time of this award Rebecca was a solicitor at Meredith Connell, and a tutor for public laws at Auckland University. From 2010 to 2011 she was a judge’s clerk to Justice Tipping in the Supreme Court, as well as being a tutor for legal research and writing at Victoria University in 2011.

Rebecca won a 2015 Pegasus Scholarship to the Inner Temple, London, and in 2009 she won the Otago District Law Society Prize for general excellence throughout a law degree.

Rebecca will study towards an LLM at Columbia University. Her proposed research project is entitled *New Zealand’s Crown Solicitor Network: ethical and practical concerns.*

Rebecca explains there are two primary concerns with engaging private lawyers to act as prosecutors. The first is philosophical: the state abdicating its sovereign power to coerce citizens who breach the criminal code. Rebecca will look at the question as to whether the state can “delegate such a basic function while complying with its basic obligation to protect the rights of its citizens. Is the delegation of a fragment of sovereignty consistent with the state’s continued sovereignty?”

The second concern is practical. “Allowing a private lawyer to take on the state’s power to enforce laws raises a moral hazard: how is that lawyer to be held accountable? What mechanisms will ensure quality decision-making and prevent abuses of power?”

Rebecca’s research will focus on both the constitutional problem, which requires an answer in the realm of political philosophy, and practical solutions for the “practical” problem.

Information about **Stephanie Thompson**, the other 2015 winner of this scholarship, is available on the [Law Foundation’s web site](http://www.lawfoundation.org.nz).

The Ethel Benjamin scholarship honours New Zealand’s first woman barrister and solicitor, who was admitted to the bar in 1897. Since the centenary of this event, the Law Foundation has awarded this scholarship annually to outstanding New Zealand women law graduates for post-graduate study. The award is worth up to $50,000 and details of the award and previous winners can be found on the [Ethel Benjamin Scholarship page](http://www.lawfoundation.org.nz/scholarships/ethel-benjamin-scholarship) of the Foundation’s website.