

CENTRE FOR APPLIED ETHICS

ANNUAL REPORT 2011

1. ABOUT THE CENTRE

The Centre for Applied Ethics (CAE) is an interdisciplinary research, teaching, and service institution of the University of Stellenbosch, based in the Philosophy Department, and, with respect to the Tygerberg Division of the Centre for Bio-ethics, also in the Faculty of Health Sciences. It reports to the Faculty Boards of Arts and Social Sciences and Health Sciences. The Centre does work on its own, but also accommodates three units, viz. the Unit for Bioethics (with divisions on the Stellenbosch Campus and at Tygerberg), the Unit for Environmental Ethics and the Unit for Business Ethics and Public Integrity.

The first part of this report deals with the general activities of the Centre as such. The reports of the different Units of the Centre follow this report. The report therefore has the following sub-divisions:

General report of the CAE: pp. 1-4

Report of the Unit for Bio-Ethics: Stellenbosch Division: pp. 5-8

Report of the Unit for Bioethics: Tygerberg Division: pp. 9-14

Report of the Unit for Business Ethics and Public Integrity: pp. 15-16

Report of the Unit for Environmental Ethics: pp. 17-20

2. GOVERNING BODY

Proff. A.J. Leysens (Representative of the Centre for International and Comparative Politics, *Chair*), **HJ Kotzé** (Dean), **A.A. van Niekerk** (Director of the Centre and Head: Unit for Bioethics), **H-P Müller** (Representative of the Centre for Knowledge Management and Decision-making), **J.P. Hattingh** (Head: Unit for Environmental Ethics), **G. Woods** (Director of the Anti-corruption Centre), **S. van der Berg** (Representative of the Faculty of Economic and Management Sciences), **W.P. Pienaar** (Representative of the Faculty of Health Sciences), **C. Walker** (Representative of the Depts. of Psychology, Sociology, Geography and Environmental Studies, and Social Work), **K. Moodley** (Head: Unit for Bioethics – Tygerberg Division, from 2012 the Centre for Medical Ethics and Law; see explanation below), **Dr. M Woermann** (Representative: Unit for Business Ethics and Public Integrity), **dr. Hannes Loots**, representative of the Mediclinic Southern Africa, a key sponsor of the Centre and **Mr Daniel Malan**, representative of the Centre for Corporate Governance in Africa, situated in the US Business School.

The term of office of non-ex officio members of this governing board expires at the end of 2013.

3. RESEARCH

(Only activities are here reported that are not dealt with in the reports of the different Units of the Centre. See also the reports of the Units).

3.1 Publications and other research outputs

3.1.1 Articles in accredited journals

Van Niekerk, A.A. Understanding theology as understanding. *Acta Theologica*, Supplementum 14, March 2011: 110-124.

Van Niekerk, A.A. Willie Jonker se teologiese etiek. *Ned Geref Teologiese Tydskrif*, 52 (3&4), 2011: 585-599 [Willie Jonker's theological ethics]

3.1.2 Other publications (indicative of the community service/interaction of the Centre)

1. Van Niekerk, A.A.: Om te weet dat jy nie weet nie, *Die Burger*, 5 March 2011: 11.
2. Van Niekerk, A.A.: Sê nou daar is geen ander nie?, *Litnet*, 18 March 2011, http://www.litnet.co.za/cgi-bin/giga.cgi?cmd=cause_dir_news_item&cause_id=1270&news_id=100272&cat_id=1536 .
3. Van Niekerk, A.A.: Wittes het baie skuld, *Beeld*, 4 July 2011.
4. Van Niekerk, A.A.: Moenie apartheid vergoelike nie, *Die Burger*, 5 July 2011: 7
5. Van Niekerk, A.A.: Paul Cilliers (1956-2011) , *Die Burger*, 3 August 2011: 9
6. Van Niekerk, A.A.: “Hoe leer ‘n mens etiek?”, *Die Burger*, 23 August 2011: 9

3.1.3 Presentations

1. Van Niekerk, A.A.: *What is research ethics and research integrity?* Research Ethics and Integrity Seminar, Stellenbosch University (Stias) (Key note address), 15 April 2011.
2. Van Niekerk, A.A.: *The ethics of responsibility*. Harvard Training Initiative Conference, Kempton Park, 11 May 2011.
3. Van Niekerk, A.A.: *Moral leadership*. Annual Conference of School Headmasters, Metro North Education District, Western Cape Education Department. Worcester, 12 August 2011.
4. Van Niekerk, A.A.: *Does ethics education make a difference?* Reunion Conference, IRENSA intake 2000-2011, College of Medicine, Cape Town, 16 August 2011.
5. Van Niekerk, A.A.: *Morele kwessies oor wit skuld*. Diskoersgesprekke, Aardklop Art Festival, Potchefstroom, 6 October 2011.
6. Van Niekerk, A.A.: *Willie Jonker Gedenklesing*, Cape Town, 30 October 2011.

4. Community Interaction

Apart from the above popular publications and presentations, the Director participated in a number of radio and television programs on ethically related matters

5. Developments around the Tygerberg Division of the Unit for Bioethics

The decision reached in 2010 to convert the Tygerberg Division of the Unit for Bioethics into a Type 1 Centre, was executed in 2011. The reason for this conversion was primarily to enable that Unit/Centre to offer the Postgraduate Diploma in Research Ethics – something that a Unit is not allowed to do at Stellenbosch University. The CAE agreed to this on the basis of a number of stipulated conditions in order to minimize the possibility of overlap and competition between the two Centres. A Memorandum of Understanding (see Addendum A) was drawn up and signed by the two directors and deans in November 2011. There will be mutual representation in each other's governing bodies, the postgraduate programs of the CAE will not be duplicated by the CMEL, and both structures will strive for optimal co-operation. This seems to be an agreement that works well.

6. Other general activities of the Centre

6.1 Teaching

In 2011, the specialization programmes of the MPhil (Applied Ethics) Program were offered. This was the last year in which this second leg of the two year program would be offered, since we were advised by the University that, from 2012, this kind of program can only be offered as a one year PG Diploma (Applied Ethics), followed by a one year MPhil (Applied Ethics, with specialization in one of our three streams), with a research component of 50%. Our proposal for such a change was eventually approved by the DHE in the course of 2012, after we have in fact started with the offering of the PG Dip in the beginning of 2012. Only time will tell whether this new arrangement is going to be successful and draw the same number and quality of students as its predecessor.

6.2 Visitors in 2011

The Centre received a number of eminent academic visitors in the course of 2011, amongst which prof. Göran Collste of Linköping University in Sweden and prof. Soran Reader of the University of Durham; both also delivered lectures.

6.3 Ethics committees and services

Personnel of the Centre serve as members of a variety of ethics committees/institutional review boards at Stellenbosch University and elsewhere.

These committees, and the relevant representatives, are the following:

- The Ethics Committee of the Medical Research Council (MRC) (AA van Niekerk)
- The Ethics Committee for Research on Animals of the MRC (JP Hattingh)
- The Ethics Committee of Subcommittee A (Humanities & Social Sciences) of Stellenbosch University's Research Committee (JP Hattingh, chair)
- The Research Ethics Committee of the CSIR (JP Hattingh, chair)

Prof. van Niekerk also serves as chairperson of the Senate Research Ethics Committee (SREC), the body that appoints, accredits and oversees all the ethics committees currently operative in the various faculties of the university.

Prof. van Niekerk also serves as chair of the Board of Directors of the Ethics Institute of SA, whose former CEO and current Executive Director, prof. Willem Landman, serves as professor extraordinaire in the Centre and Department and renders very valuable services to the Centre.

Prof. van Niekerk has also been appointed as member of the Task Team on Human Dignity, created by the Synods of the DRC and the Uniting Reformed Church in SA. He also served on the Board of Directors of the Stellenbosch Hospice, but resigned towards the end of 2011 due to over-commitment.

Dr Woermann is a member of the Governing Committee for the Anticorruption Centre for Education and Research (ACCERUS); Stellenbosch University.

7. Sponsorship

The Director met with the top management of MediClinic Southern Africa in the course of 2011. MediClinic reiterated its generosity towards the Centre by renewing its sponsorship of the Unit for Bioethics for the next two years (R100 000 per year for two years). This sponsorship has been running since 2007, and is highly appreciated by the Centre. We convey our sincere gratitude to MediClinic Southern Africa.

Prof. H-P Müller
Chair: Governing Body

Prof. A.A. van Niekerk
Director: Centre for Applied Ethics

UNIT FOR BIOETHICS: STELLENBOSCH DIVISION

Annual Report 2011

1. RESEARCH

1.1 Completed and current research projects

- 1.1.1** *Ethical problems related to newer developments in genetic reproductive technologies* (AA van Niekerk, S Hall, A Palk & L Franken). Prof. van Niekerk and these three students are investigating this problem from a variety of perspectives. The idea is to produce a volume as well as a number of journal articles that will elucidate matters in this regard. One of the angles from which this problematic was approached, is the issue of the relevance of possible enhancements for disabled people. Prof. van Niekerk delivered a paper on this at an international conference, and a related publication was prepared to appear in 2012.
- 1.1.2** *The social functions of bioethics in South Africa*. (AA van Niekerk & SR Benatar). Proff. Van Niekerk and Benatar of UCT have been invited by prof. Catherine Meiser of the University of California, Berkeley, to participate in a comprehensive research project on the achievements and social functions of bioethics across the globe. Oxford University Press has published a volume on this topic (*Bioethics across the globe*) in the course in 2011, and Van Niekerk and Benatar's chapter for this volume has been accepted after stringent peer review.
- 1.1.3** *Race as variable in biomedical research*. This is a project related to a recurring phenomenon in the work of research ethics committees in the biomedical field. A paper has been delivered and a publication on this issue appeared in the beginning of 2011; see publications.
- 1.1.4** Prof. van Niekerk wrote, in the course of 2010, two and a half book chapters for the book *Medical Ethics, Law and Human Rights*, published by Van Schaik and edited by K Moodley. The book was published at the beginning of 2011. The chapters are on "Ethics and philosophy", "Ethics theories and the principlist approach in bioethics" and "Genetics and ethical complexity".

1.2 Research outputs

1.2.1 Article in scientific journals

Van Niekerk, A.A.: "Deliberating about race as a variable in biomedical research", *South African Medical Journal (SAMJ)*, 101 (4), April 2011: 248-250.

1.2.2 Chapters in Books

Van Niekerk, A.A.: "The social functions of bioethics in South Africa" (with SR Benatar). In: Catherine Myser (ed.): *Bioethics around the globe*. Oxford: Oxford University Press, 2011: 134-151.

Van Niekerk, A.A.: "Ethics and philosophy". In: K Moodley (ed.): *Medical Ethics, Law and Human Rights*. Pretoria: Van Schaik, 2011: 7-18.

Van Niekerk, A.A.: "Ethics theories and the principlist approach in bioethics". In: K Moodley (ed.): *Medical Ethics, Law and Human Rights*. Pretoria: Van Schaik, 2011: 19-40.

Van Niekerk, A.A.: "Genetics and ethical complexities" (With K Moodley & J Greenberg). In: K Moodley (ed.): *Medical Ethics, Law and Human Rights*. Pretoria: Van Schaik, 2011: 291-316.

1.2.3 Popular article (as indication of community interaction)

Van Niekerk, A.A.: "Genadedood: 'n morele perspektief", *Die Kerkbode*, 186 (1), 21 Januarie 2011: 10.

1.2.4 Paper read at international conferences and meetings

Van Niekerk, A.A.: Race as variable in ethical review. 10th Congress of the Society for European Centres of Medical Ethics, Istanbul, Turkey, 15-17 September 2011.

Van Niekerk, A.A.: *Of masters and tinkers: moral perspectives on human enhancement*. Biological Psychiatry Congress (Plenary session), Stellenbosch, 25 September 2011.

Van Niekerk, A.A.: On deliberating about race in biomedical research. 2011 IAB Conference on Research Ethics and Clinical Ethics, (Plenary Session) 1 October 2011, Taipei, Taiwan.

1.2.5 Papers delivered at national scientific conferences and/or other meetings

Van Niekerk, A.A.: *Disability and biomedical enhancement: conflict or co-existence?* Conference on Theology, disability and human dignity, 19 May 2011, Faculty of Theology, Stellenbosch University.

Van Niekerk, A.A.: *The ethics of (plastic) surgery*, Seminaar by Dept. of Plastic and Reconstructive Surgery, Tygerberg, 20 May 2011.

Van Niekerk, A.A.: *Ethical issues about the idea of human enhancement*. Tygerberg Ethics group, 27 October 2011.

Van Niekerk, A.A.: *The ethics of human enhancement*. Annual Conference of the South African Dental Association, Cape Town, 3 December 2011.

2. TEACHING

2.1 The Unit takes, first and foremost, responsibility for the post-graduate teaching of bioethics in the MPhil (Applied Ethics) Program, as well as for the doctoral program in Bioethics. This specialization program was again be offered in 2011.

2.2 Prof. Van Niekerk has, as in previous years, been closely involved with IRENSA (International Research Ethics Network for South Africa) and served on the Executive Committee of this organisation, which was internationally funded by the Fogarty Foundation of the National Institutes of Health in the USA. In that capacity he also acted as regular lecturer (and external examiner) in the presentation of the Postgraduate Diploma in Research Ethics at the University of Cape Town. The activities of this program to a conclusion in 2011.

2.3 Prof. Van Niekerk also acts as external examiner for the masters students in the SARETI (South African Research Ethics Training Initiative) program of the Universities of Kwazulu-Natal and Pretoria. This is also a Fogarty Foundation funded program that trains potential and current members of research ethics committees in Africa.

2.4 Prof. Van Niekerk annually teaches a module on ethical issues relating to HIV/AIDS in the Postgraduate Diploma and MPhil programmes of the Centre for AIDS Management in the Workplace in the Faculty of Economic and Management Sciences. The lectures for this program are currently offered at a summer and/or winter school, as well as via satellite transmission.

2.5 Prof. van Niekerk also teaches and acts as one of the Faculty of ARESA; see report of the Tygerberg Division of the Unit for Bioethics.

3. POSTGRADUATE SUPERVISION

Several postgraduate students were involved in, or are still conducting research on topics that are of direct interest to the activities of this Unit. The details are as follows:

3.1 Completed Doctoral Dissertation

Horn, L: *Virtue ethics in the development of a framework for public health policy making*. DPhil, 257 pp. March 2011. Promoter: Prof. AA van Niekerk.

3.2 Completed Masters Theses

Britz, R. *Voluntary informed consent and good clinical practice for clinical research conducted in SA: an ethical and legal perspective*. MPhil. Supervisor: Dr. A le Roux Kemp.

3.3 Doctoral projects in progress

1. Gardner, JB: *Moral responsibility for prenatal harm to children: the case of Fetal Alcohol Syndrome*. PhD. Promoter: Prof. AA van Niekerk.
2. Gerber, B: *Identity and discourse: a critical philosophical investigation of the influence of the intellectual self-image of the medical profession on communicatively effective care to patients*. PhD. Promoter: Prof. AA van Niekerk.
3. Hall, S: *Genetic enhancement and harm: philosophical and ethical perspectives*. PhD. Promoter: Prof. AA van Niekerk.
4. Hayes, K: *Individuals' moral obligations to disadvantaged children*. PhD. Promoter: Prof. AA van Niekerk.
5. Niemand, H: *The autonomy of culture? A critical philosophical study*. PhD. Promoter: Prof. AA van Niekerk.
6. Preisser, R: *The problem of complexity: rethinking the role of critique*. PhD. Promoter: Prof. AA van Niekerk; Co-Promoter: Prof. JH-S Hofmeyr.
7. Rossouw, T: *Identity, personhood and power: a critical analysis of the Principle of Respect for Autonomy and the idea of informed consent, and their implementation in an androgynous and multicultural society*. DPhil. Promoter: Prof. AA van Niekerk.

8. Tlhapane, MS: *Principlism and AIDS: a study in applied ethics*. DPhil. Promoter: Prof. AA van Niekerk.
9. Venter, M: *Abduction in clinical diagnosis: an epistemological assessment of medical reasoning*. PhD. Promoter: Prof. AA van Niekerk.

3.4 Masters projects in progress

1. Acton, L. *Ethical issues in telemedicine*. MPhil. Supervisor: Prof. AA van Niekerk.
2. Baraldi, E. *Should HIV patients on ARV's who develop drug resistance due to non-compliance with treatment regimens be denied further treatment?.* Supervisor: Dr. L Horn.
3. Franken, L. *Evil, modernity and morality*. MA. Supervisor: Prof. AA van Niekerk.
4. Grobler, G. *The effect of labour relations on medical ethics*. MPhil. Supervisor: Prof. AA van Niekerk.
5. Hattingh, L. *The reconcilability of medical practice and business*. MPhil. Supervisor: Prof. AA van Niekerk.
6. Khoromana, M. *HIV routine testing as a strategy in the fight against HIV/Aids in Malawi: a proposal*. MPhil. Supervisor: Prof. AA van Niekerk.
7. Kruger, W. *The ethics of HIV vaccinations*. MPhil. Supervisor: Dr. L Horn.
8. Moosa, T. *No longer sacred: the implications of unsanctifying human life*. MPhil. Supervisor: Prof. AA van Niekerk.
9. Morkel, M. *Medical testing in the life insurance industry: bioethical perspectives*. MPhil. Supervisor: Prof. AA van Niekerk.
10. Oliphant, C. *A philosophical critique of the justification for providing reproductive assistance to HIV infected individuals*. MPhil. Supervisor: Prof. AA van Niekerk.
11. Photo, M. *The effects of the SA Choice of Termination of Pregnancy Act on health care workers in South Africa*. MPhil. Supervisor: Prof. AA van Niekerk.
12. Sibiyi, S. *Ritual male circumcision in South Africa: the right to suffer and die versus the duty to prevent avoidable death and suffering*. MPhil. Supervisor: Prof. AA van Niekerk.
13. Simpson, A. *The moral relevance of the Geneva Oath*. MPhil. Supervisor: Prof. AA van Niekerk.
14. Spies, F. *Moral problems related to property rights*. MA. Supervisor: Prof. AA van Niekerk.
15. Van Niekerk, M. *Kompleksiteit en moderne geneeskunde*. Supervisor: Prof. AA van Niekerk.
16. Verster, C. *The ethics of stimulant use in health students*. MPhil. Supervisor: Prof. AA van Niekerk.

4. SERVICE DELIVERY

- 4.1 Prof. van Niekerk serves as a director (one of 25) of the International Association of Bioethics (IAB).
- 4.2 Prof. van Niekerk has been appointed as member of the Biosafety and Biosecurity Committee of the Academy of Science of South Africa (ASSAf).

BIOETHICS UNIT – TYGERBERG DIVISION

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January – December 2011

TEACHING

Undergraduate Program:

MBCHB5

Ethics Module

The undergraduate teaching program in medical ethics and law was offered to 182 fifth year medical students in March 2011 for the 9th time since its inception.

Tutors: Keymanthri Moodley, Willie Pienaar and Sharon Kling. Three additional lecturers were invited to assist with tutorials and marking – Dr A Bawoodien, Dr Malcolm de Roubaix and Dr Mariam Navsa. The invited lecturer on Medical Law was Johan Roux.

Students completed a **WEB CT** test and written exam with short modified essay questions. The final ethics marks ranged from 45% to 83% with an average of 60%. Two students (Hugo Botha and Megan Radue) tied for the highest mark in the 2010 exam and each received the Ethics Prize sponsored by Mediclinic during the Oath taking ceremony in Dec 2011.

MBCHB 1

Medical Ethics Lectures – Theme 3 in Health in Context Module

6 lectures were presented to the first year health science students on ethics, law and human rights in May 2011. A range of topics was discussed and included:

1. Why is ethics important in healthcare?
2. Introduction to health law
3. Introduction to Health and Human Rights
4. The Health Professions Council of South Africa (HPCSA)
5. Scientific Integrity
6. Ethical Dilemmas in healthcare

The team was led by Prof Moodley.

344 students wrote a WEB CT test with 20 Ethics MCQs. Results: 46% to 84% with an average of 70%. Class attendance improved in 2011.

- **MPS ETHICS ESSAY COMPETITION** – “Patients as consumers of health care:ethical and legal implications”

Prize of R5000 awarded to 4th year student Kirsten Rowe by MPS.

Postgraduate teaching:**ARESA Postgraduate Program:**

1. **Postgraduate Diploma in Health Research Ethics** – 40 applications received. Ten applicants who met eligibility criteria were selected. One was not able to attend in 2011. Nine NIH sponsored trainees began the first module in October 2011. One trainee from a private research site registered at her own cost. Full development of the first 2 week module occurred from July to September 2011. An application for registration of the PG Diploma with the Department of Higher Education and Training and the South African Qualifications Authority was also submitted.
2. Short Course: Introduction to Health Research Ethics: two students attended module 1 as a short course and then converted to the full Diploma at their own cost.

PRESENTATIONS (Prof K. Moodley)**INVITED SPEAKER: International Presentations: 2011**

- 12 March – End of Life Issues, 4th Pan African Pain Congress, ICC Cape Town (invited speaker)
- 4-5 April – Anticipating ethical concerns during disaster research: perspectives from South Africa. Brocher Foundation, Geneva, Switzerland (invited speaker)
- 20 September – Immunisation in Humanitarian Crises: Ethical & Legal Issues, SAGE working group, World Health Organisation, Geneva, Switzerland
- 2 December – The Ethics of HIV Preventive Research: Experiences in South Africa, Bioethics Center, University of North Carolina-Chapel Hill, United States
- 2 December – Biological Sample and Data Transfer Across Borders – Public Responsibility in Medicine and Research (PRIMR) Annual Conference, National Harbour, Maryland, United States

INVITED SPEAKER: National: 2011

- 6 March - Confidentiality and HIV in Radiology, SORSA Conference, ICC Durban Kwa Zulu Natal

INVITED SPEAKER: Local Presentations: 2011

- 27 January – Termination of Pregnancy - Health and Human Rights Conference, UCT
- 2 March – Introduction to Health Research Ethics, University of the Western Cape
- 7 May – Clinical Ethical Dilemmas, SA Academy of Family Practice, River Club, Cape Town
- 26 May – An Update on Health Care Ethics, Medical Advisors Group, Pepper Club, Cape Town, Sponsor: Smith & Nephew
- 4 June – Patients as consumers of health care – ethical and legal implications, GPs and Diabetologists, Elli Lilly Symposium, Sante Spa, Paarl
- 20 July – Quality and Safety in Healthcare – The Brain and Behaviour Society of the Western Cape, Valkenburg Hospital
- 21 July – Patients as consumers of healthcare – Optometry Association meeting – Chrystal Towers Hotel, Cape Town

- 23 July – Consumerism in Healthcare – CPC Qualicare Open day, Sponsored by Discovery, Sanlam headoffice, Bellville
- 29 July – Quality and Safety in Plastic Surgery, Dept of Plastic Surgery, Faculty of Health Sciences, Tygerberg
- 26 August – Wrongful Pregnancy, wrongful birth, wrongful life... Department of Obstetrics and Gynaecology, Faculty of Health Sciences, Tygerberg
- 31 August - Ethical Principles in Occupational Health, Department of Community Health – Occupational Health Seminar, Tygerberg
- 1 September – Paediatric HIV Disclosure – Perspectives of caregivers and children, Kidcru, Paediatric HIV Centre, Tygerberg Hospital
- 7 September – Fetal Therapy: Ethical and Legal Implications. Obstetricians and Gynaecologists, Durban, Kwa- Zulu Natal
- 27 September – Consumerism in Health Care – Langeberg Medicross. Astra Zeneca
- 4 November – Ethics in the Consulting Room – Medicross Hospital Group, Arabella, Hermanus, Western Cape.
- 18 November – Quality and Safety in Healthcare – Netcare Hospital Group, Eastern Cape.

PRESENTATIONS (Dr S. Kling)

- Moodley K, **Kling S***. Ethics in clinical practice: case presentations. Annual SA Academy of Family Practitioners Mini-Congress, River Club, Cape Town, May 2011.
- **Kling S***. Ethical issues in treating children with allergies. ALLSA Annual Congress, Sun City, October 2011.

PUBLICATIONS

- Van Schalkwyk G, Moodley K. Medical Mistakes – a student’s perspective. SAJBL 2011; 4(2):52-54.
- Moodley K, Rennie S. Advancing Research Ethics Training in Southern Africa (ARESA). SAJBL 2011; 4(2):104 – 105.

BOOKS

Moodley K[Ed]. Medical Ethics, Law and Human Rights: a South African Perspective. Van Schaik Publishers 2011.

BOOK CHAPTER

- Moodley K. Disaster Research Ethics-a South African Perspective – in “Disaster Research” 2011 (in Press). Springer

NEWSLETTER

The ARESA *Newsletter* Vol. 1 No 1 was circulated to all Research Ethics Committees in SA in November 2011.

DR SHARON KLING

- **Kling S.** Off-label drug use in childhood asthma. *Current Allergy and Clinical Immunology* 2011;24:38-41.
- **Kling S.** Professionalism, education and allergy. *Current Allergy and Clinical Immunology* 2011;24(3):165-166.
- **Kling S.** Ethical issues in treating children. *Current Allergy and Clinical Immunology* 2011;24(4):218-220.

BOOK CHAPTER

- **Kling S, Kruger M.** Paediatric ethics. In: Moodley K (Ed). *Medical ethics, law and human rights: a South African perspective*. Van Schaik 2011.

APPOINTMENTS 2011**NATIONAL APPOINTMENTS :**

- Member: National Health Research Ethics Council (NHREC) – appointed by the Minister of Health (5 meetings in Pretoria)
- Board member – South African Medical Research Council (MRC) – appointed by the Minister of Health (10 Board meetings for 2011 –9 in Cape Town + 1 JHB)
- Member – Audit, Risk and IT Committee, MRC (2 meetings at MRC Cape Town)

INTERNATIONAL APPOINTMENTS:

- Member SAGE working group looking at Immunisation in Humanitarian Crises for the World Health Organization (WHO) – 1 meeting in Geneva and ten international teleconferences.
- NIH HIV Prevention DSMB meetings – 2 in Washington + 4 international teleconferences

WORKSHOPS/SEMINARS/COURSES ATTENDED:**Local:**

- Qualitative Research Methods for Health Sciences – August – November 2011

International:

- 2011 – NIH Grant Administration Workshop – Cape Town, SA.

RESEARCH ACTIVITY (2011):

1. Principal investigator – An exploration of the ethical complexities inherent in the collection, use, storage and export of biological samples in research - perspectives from the Western Cape, South Africa – Harry Crossley Grant R4500.
2. Co-investigator: Exploration of Compensation Policy and Practice in NIH Sponsored HIV/AIDS Clinical Trials in Africa – Doug Wassenaar, UKZN.

SUPERVISION

Postgraduate Students - 2011

PROMOTER:

MPhil (Health Sciences Education) - University of Stellenbosch

Thesis: Teaching and assessment of clinical ethics and professionalism on ward rounds to undergraduate medical students at Stellenbosch University.

Candidate: Dr Louis Heyns, Dept of Paediatrics, Faculty of Health Sciences, Stellenbosch University.

PROMOTER:

Masters in Medicine (Plastic Surgery) – University of Stellenbosch

Thesis: Development of a Patient information Leaflet and Consent Form for Breast Reduction in Plastic Surgery in compliance with the National Health Act No 61 of 2003.

Candidate: Dr Liesl Du Toit, Dept of Plastic Surgery, Stellenbosch University

PROMOTER:

DPhil – Applied Ethics – University of Stellenbosch

Dissertation: Reviewing the theory and practice of professional nursing ethics education in Namibia and South Africa.

Mrs E.J. de Villiers, Centre for Applied Ethics, Dept of Philosophy, University of Stellenbosch

CO-PROMOTER:

DPhil – Applied Ethics – University of Stellenbosch

Dissertation: Clinical Ethics Consultation in South Africa: A Critical Appraisal of their Structure and Functioning

Dr Sharon Kling, Centre for Applied Ethics, Dept of Philosophy

THIRD INCOME STREAM –funds 30% of Bioethics Unit Personnel Costs & consumes 30% of time of unit staff *****:

Good Clinical Practice (GCP) Training Courses – both basic and refresher courses were presented. These courses in responsible research and technical issues related to research are deemed compulsory by the Medicines Control Council (MCC) for all investigators involved in clinical trial research.

2011:7 courses were offered and **204** investigators, site co-ordinators and research ethics committee members were trained.

ERECCA program

Number of delegates completed: 55

Online Ethics CPD Program: 22 completed in 2011

GRANTS

- Fogarty International Centre, NIH R25 grant – to develop a Postgraduate Diploma in Health Research Ethics: reviewer's score 20: value of grant \$ 1,2 million 2011 – 2015 - awarded
- Harry Crossley Grant - R4500

SERVICE DELIVERY**Clinical ethics committee work - 2011**

TYGERBERG CEC:

Meetings attended: 1 June and 1 November

Netcare CEC:

Meetings attended: 9 February, 2 June

Ethics Hotmail and Ethics Hotline – queries on ethical issues from general practitioners and other health care providers are answered either via e-mail or telephonically by the Unit. The number of queries received increased substantially over the past year. Details available on request within the limits of confidentiality.

Tygerberg Ethics Discussion Group:**Topics for 2011:**

- 25 February – Training medical students in an academic hospital: ethical conundrums – Dr Louis Heyns
- 26 May – Pregnant women in biomedical research – Prof David Hall
- 27 July – Ethical dilemmas: a challenge to clinical practice – Prof Willie Pienaar
- 25 August – Ethical issues in the enhancement debate – Prof Anton Van Niekerk
- 27 October – Quality in healthcare: ethics and the law

Prof. K Moodley

Head: Tygerberg Division of Unit for Bioethics

2011

UNIT FOR BUSINESS ETHICS AND PUBLIC INTEGRITY

ANNUAL REPORT 2011

1. RESEARCH

1.1 Conferences

1.1.1. Papers read at international conferences

Hattingh, J.P. (2011) 'How can NGOs work better with the business community?' Invited workshop paper delivered at the *Global Ethics Forum* on the theme of the value of values in business, Geneva, Switzerland, 30 June – 1 July.

Hattingh, J.P. (2011) 'On the moral economy of conventional business ethics: a critical view from Africa', *12th Annual Business Ethics Network (BEN) Africa Conference*, Zanzibar, 31 October – 2 November.

1.1.2. National workshops and colloquia

Hattingh, J.P. (2011) 'Principles of ethics review of research proposals', *SARMA Workshop*, Umhlanga Rocks, 8 – 10 June.

Hattingh, J.P. (2011) 'On the ethics and responsibilities of peer review'. Singapore Delegation Workshop organised by the *Division for Research Development of Stellenbosch University*, 27 September.

Woermann, M. and Cilliers, P. (2011) 'The ethics of complexity and the complexity of ethics'. Presented at the colloquium on 'Complexity: the philosophical and human legacy of Paul Cilliers, Stellenbosch, 8 December 2011.

1.2. Publications

1.2.1. Journal articles

Woermann, M. (2011) 'In corporations we trust? A critique of contractarian-based corporate social responsibility models' in *African Journal of Business Ethics*, 5(1): 26 - 35.

1.2.2. Funded research reports

Grebe, E. and Woermann, M. (2011) 'Institutions of integrity and integrity of institutions: integrity and ethics in the politics of developmental leadership', *Developmental Leadership Program*.

1.2.3. Forthcoming

Woermann, M. (2012) *On the (Im)Possibility of Business Ethics: Critical Complexity, Deconstruction, and Implications for Understanding the Ethics of Business*. Dordrecht: Springer. Forthcoming, October 2012.

2. TEACHING

2.1 Postgraduate teaching

The primary task of the Unit is to take responsibility for the post-graduate teaching of business ethics in the MPhil (Applied Ethics) Programme. Two week-long contact sessions were held, in which prominent business ethics themes and local business ethics challenges were addressed. The specialisation programme is primarily lectured by Dr. Minka Woermann, although a number of guest speakers (including, Mr. Deon Botha, Prof. Jan du Toit, Prof. Willem Landman, Dr. Alan Malochowski, Mr. Mduduzi Ndlovu, and Prof. Gavin Woods) also contributed to the programme.

2.2. Undergraduate teaching:

Business Ethics 214 (approx. 380 students) (Dr. Minka Woermann)

Business Ethics 314 (approx 200 students) (Prof. J.P. Hattingh)

Business Ethics 242 (approx 380 students) (Professional Accounting Ethics) (Dr. Minka Woermann)

3. POSTGRADUATE SUPERVISION

3.1. Completed Masters projects

Hodgson, N.: 'Virtue ethics, Raymond Ackerman and retail sustainability', MPhil Applied Ethics (40% research report), supervisor: M. Woermann. March 2011.

Andrade, J.: 'From Pariah to Parrhesiastes: Reconceptualising whistle-blowing in a complex world', MPhil Applied Ethics (50% thesis), cum laude, supervisor: M. Woermann. December 2011.

4. SERVICE DELIVERY

4.1. Sponsorship

The Unit was again the primary sponsor for the annual BEN-Africa Conference held in Zanzibar from 31 October to 2 November 2011.

The Unit (along with PricewaterhouseCoopers) sponsored a business ethics case study competition for second year accounting students. This competition was modelled on an international business ethics competition, hosted and organised by Loyola University, Maryland, U.S.A.

4.2. Appointments

Prof. Hattingh continued as President of BEN-Africa, and was again responsible for organising the annual conference.

UNIT FOR ENVIRONMENTAL ETHICS

ANNUAL REPORT 2011

1. Research

1.1 Research Outputs

1.1.1 Publications

1. Hattingh, JP. Conceptual clarity, scientific rigour and ‘the stories we are’: engaging with two challenges to the objectivity of invasion biology. **FIFTY YEARS OF INVASION ECOLOGY: THE LEGACY OF CHARLES ELTON**. (ed. by D.M. Richardson), 2011, pp. 359–375. Wiley-Blackwell, Oxford.
2. Hattingh, JP. Towards a shared ethics of global climate change. **CURRENT ALLERGY AND CLINICAL IMMUNOLOGY**, June 2011, Vol. 24, No. 2, 91- 96. [This article won the prize for the best article in the journal in 2011.]
3. Hattingh, JP. Climate change, culture, peace and human dignity. **ASIAN-ARAB PHILOSOPHICAL DIALOGUES ON CULTURE OF PEACE AND HUMAN DIGNITY**. Editor: Darryl R. J. Macer. Proceedings of the Third Asian-Arab Philosophical Dialogues organized by UNESCO, Port Dickson, Malaysia, 14-17 May 2010. Bangkok, Thailand: UNESCO Bangkok, 2011, pp. 188-193.
4. Hattingh, JP. (2012) Environmental ethics and climate change? Proceedings of the Global Conference on Ethics in Science and Technology, organized by the Department of Philosophy of the University of Santo Tomas in Manila, Philippines, 20-22 October 2011. In **PHILIPPINIANA SACRA**, Vol. XLVII, Nr. 140, Special Issue 2012, pp. 315 – 332. (Submitted for publication in 2012.)
5. Hattingh, JP. (In press.) Towards an ethics of hope? **SUSTAINABLE STELLENBOSCH BY 2030**. Mark Swilling (editor), Stellenbosch: Sustainability Institute. To be published in 2012.
6. Hattingh, JP. (In press.) Protection of the environment, the biosphere and biodiversity, in H. ten Have & B. Gordijn: *Global Bioethics Atlas*. Amsterdam: Springer. To be published in 2012.

1.1.2 Papers and presentations

1. Hattingh, JP. Principles of ethics review of research proposals. **SARIMA WORKSHOP**, Umhlanga Rocks, 8-10 June, 2011.
2. Hattingh, JP. On the ethics and responsibilities of peer review. **WORKSHOP ORGANIZED BY THE DIVISION FOR RESEARCH DEVELOPMENT OF STELLENBOSCH UNIVERSITY** on the Singapore Declaration, 27 September 2011.

3. Hattingh, JP. How can NGOs work better with the business community? Invited paper delivered at the Global Ethics Forum on the theme of **THE VALUE OF VALUES IN BUSINESS** that was held in Geneva, Switzerland, from 30th June - 1st July 2011 – within the context of a Workshop on the theme of The Role of NGOs in Promoting a Globally Responsible Community.
4. Hattingh, JP. On the moral economy of conventional business ethics: A critical view from Africa. **12TH ANNUAL BEN-AFRICA CONFERENCE**, 31 October – 2 November 2011, Zanzibar. (BEN-Africa = Business Ethics Network of Africa)
5. Hattingh, JP. Environmental ethics and climate change? Invited plenary address delivered at the **GLOBAL CONFERENCE ON ETHICS IN SCIENCE AND TECHNOLOGY** at the 400th anniversary of the University of Santo Tomas, Manila, Philippines. November 2011.

1.2 Current Research

Prof. Hattingh is continuing with his research in different areas of environmental ethics, and is currently focusing on the interface between, and overlap of environmental ethics, climate change ethics, and development ethics.

2. OTHER ACTIVITIES

2.1 Short course

Dr. Leanne Seeliger collaborates on a freelance basis with the Unit for Environmental Ethics, and has registered and offered a fully accredited two-day short course for the professional development of 20 Environmental Health Practitioners of the City of Cape Town on 26 and 27 October 2011. Students were assessed at the end of the course, and those that were successful, earned a certificate of competence, as well as 12 CEU credits.

2.2 Ongoing Doctoral Projects

1. BAUGHAN H. Technology and practical reason in technology education policy - a philosophical study. D.Phil. Supervisor: Prof. JP Hattingh.
2. LONG SS. The formulation of an environmental ethic for civil engineers in South Africa. D.Phil. Supervisor: Prof. JP Hattingh.
3. MORODI TJ. The precautionary principle and public environmental decision-making in South Africa: An ethical appraisal. Ph.D. (Applied Ethics) Supervisor: Prof. JP Hattingh.
4. MAZIGO, AF. Toward an ethical basis for pro-poor development interventions in the fishing sector of Ukerewe, Tanzania: A study in Development Ethics. Ph.D. (Applied Ethics). Promotor: Prof. JP Hattingh.
5. LYAKURWA, M. The environmental ethics of the Wachaga and Waluguru of Tanzania: Beyond the romantic exhortation of the ideal traditional past. Ph.D. (Applied Ethics). Promotor: Prof. JP Hattingh.

2.3 Completed Master's Projects

1. KLUYTS, JF. *“Animal Liberation” : ’n Kritiese bespreking vanuit ’n filosofies-veekundige perspektief.* [“Animal Liberation” : A critical discussion from a philosophical animal husbandry approach.] M.Phil. (Applied Ethics). Supervisor: Prof. JP Hattingh.

2.4 Ongoing Master’s Projects

1. STEYN CJ. *Exploring ethical challenges, climate change and implications on land and water use within the agricultural sector of the Garden Route, Western Cape, South Africa.* M.Phil. (Applied Ethics). Supervisor: Prof. JP Hattingh.
2. HERBST AT. *A critical analysis of the socio-ecological impacts of golf courses and estates in the Mosselbay, George and Knysna Area.* M.A. (Philosophy) Supervisor: Prof. JP Hattingh.
3. CRUISE AJ. *Deconstructing the other (animal).* M.A. (Philosophy) Supervisor: Prof. JP Hattingh.

2.5 M.Phil in Environmental Management

Prof. Hattingh is member of an interfaculty Programme Committee that has launched a Mphil Programme in Environmental Management in January 2001. Departments participating in the programme are Philosophy (Environmental Ethics), Geology, Geography and Environmental Studies, Public and Development Administration, Public Law, and Conservation Ecology. Since December 2002 a steady stream of students graduated from this program.

Within the framework of this programme Prof. Hattingh takes responsibility for a module in Environmental Ethics. He also supervises students doing their research projects on themes in Environmental Ethics.

2.6 M.Phil. in Sustainable Development

In February 2003 the Sustainability Institute under the leadership of Prof. Mark Swilling and Ms. Eve Annecke launched an innovative MPhil Programme in Sustainable Development in collaboration with the Department of Public and Development Management of the University of Stellenbosch. Having been part of the team planning the Programme, Prof. Hattingh is currently one of the co-teachers in the module on Leadership and Ethics for Sustainable Development.

2.7 Activities around UNESCO’s COMEST

1. COMEST is The World Commission on the Ethics of Science and Technology, and falls under UNESCO’s Division for the Ethics of Science. COMEST consists of 18 members that are selected to be representative of the world community on the one hand, and expertise in the ethics of various fields on the other hand. Members are appointed to COMEST in collaboration with the official delegations of member countries of UNESCO and their countries’ Ministries of Science and Technology. COMEST advises the General Assembly of UNESCO on ethical issues, and conduct, on request, research for the General Assembly on ethical issues. At the beginning of 2004, Prof. Hattingh was appointed as member of COMEST for a period of 4 years.

On the recommendation of the South African Government, Prof. Hattingh has been invited by COMEST to serve for another term of four years, i.e. from 2008 – 2011.

2. During 2005 Prof. Hattingh was appointed as Rapporteur in the Executive Board of COMEST. He served in this capacity until the end of his second term, that is the end of 2011.
3. Since May, 2008, Prof. Hattingh was invited to Chair a Working Group on Environmental Ethics to take the lead in preparing a report on The ethical implications of global climate change. This working group continued its work which culminated in October 2011 in the adoption by COMEST of “A Framework of Ethical Principles and Responsibilities for Climate Change Adaptation” at its Sixth Ordinary Meeting in Doha Qatar. This declaration will now be used to advise the Director General and General Assembly of UNESCO on ethically responsible adaptation to climate change.

2.8 Membership of Editorial Boards

Prof. Hattingh currently serves on the Editorial Board of the following journals:

1. *Southern African Journal of Environmental Education* (co-editor of the section on Environmental Ethics)
2. *Journal of Agricultural and Environmental Ethics* (member of Editorial Board, since 2007).
3. *African Journal of Business Ethics* (published by BEN-Africa – The Business Ethics Network of Africa). (Member of Editorial Board, since 2008.)
4. *Journal for Ethics Education* (This is a Springer on-line journal that was recently established by Prof. Henk ten Have, Director of the Center for Healthcare Ethics, Duquesne Universiteit, Pittsburgh, Pennsylvania. Invited to become member of Editorial Board in 2011 – Journal established in 2012.)

2.9 Ethics Committee for Research on Animals (ECRA)

Prof. Hattingh is member of the Ethics Committee for Research on Animals of the Medical Research Council (MRC) and helps this committee to review research proposals in which experimental animals are involved. This committee has about four meetings per year.

2.10 Research Ethics Committee of the CSIR

During 2009, Prof. Hattingh was invited by the Board of the CSIR to serve as first Chair of its newly established Research Ethics Committee. This appointment as Chair was renewed in the first half of 2012 for another three years.

2.11 Awards

In January 2011 Prof. Hattingh received an award from the Minister of Culture, Sport and Recreation of the Western Cape Province in South Africa in recognition of his contribution to environmental ethics nationally and internationally.