PHIL3580
Ethical Issues
Course Outline

Course Co-ordinator: Matt Girdler
Room: TBA
Ph: TBA

Semester                     Semester 2 - 2008
Unit Weighting               10
Teaching Methods             Lecture, Tutorial

Brief Course Description
The course introduces students to a range of practical ethical issues, and to techniques for dealing in
general with moral problems and moral dilemmas they may encounter in their professional lives. The course
is primarily designed for students of Social Work, though open to others with an interest in practical ethics.

Contact Hours
Tutorial for 1 Hour per Week for 11 Weeks
Lecture for 1 Hour per Week for 13 Weeks
For particular dates and times refer to course outline.

Learning Materials/Texts
Mintoff, J (ed). Ethical Issues in Social Work, 8th edn, (School of Humanities and Social Sciences, 2008).

Course Objectives
The course aims to impart to students:

(1) Knowledge and familiarity of the ethical issues that will be relevance to their professional lives, or to
issues they may come across in their personal lives.
(2) Analytic skills to deal with moral issues and to get beyond mere disagreement and ambiguity.

Course Content
The course has two parts. The first concerns a general introduction to the nature of ethics, ethical methodology, and the significance of ethics. The second concerns specific topics of professional relevance to Social Work students, which may include the Social Worker's Code of Ethics, confidentiality, client self-determination, amongst others.

Assessment Items

<table>
<thead>
<tr>
<th>Essays / Written Assignments</th>
<th>Minor Assignment (worth 30%), of 1,500 words</th>
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<tr>
<td>Essays / Written Assignments</td>
<td>Major Essay (40%), of 2,000 words</td>
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<tr>
<td>Group/tutorial participation and contribution</td>
<td>General class participation (10%).</td>
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<tr>
<td>Presentations - Tutorial</td>
<td>Tutorial Presentation (20%), of 1000 words</td>
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Assumed Knowledge
40 units at 1000 level.

Callaghan Campus Timetable

PHIL3580
ETHICAL ISSUES
Enquiries: School of Humanities and Social Science
Semester 2 - 2008

Lecture  Wednesday  14:00 - 15:00 [SRLT3] Wks1-5 & 7-14 only
and Lecture Wednesday 14:00 - 15:00 [GP2-1] Wk 6 only
and Tutorial Wednesday 15:00 - 16:00 [GP1-30] Wks 2-4 & 6-13 incl.
or Wednesday 16:00 - 17:00 [GP3-24] Wks 2-4 & 6-13 incl.
or Wednesday 17:00 - 18:00 [GP3-24] Wks 2-4 & 6-13 incl.

Plagiarism

University policy prohibits students plagiarising any material under any circumstances. A student plagiarises if he or she presents the thoughts or works of another as one's own. Without limiting the generality of this definition, it may include:

- copying or paraphrasing material from any source without due acknowledgment;
- using another's ideas without due acknowledgment;
- working with others without permission and presenting the resulting work as though it was completed independently.

Plagiarism is not only related to written works, but also to material such as data, images, music, formulae, websites and computer programs.

Aiding another student to plagiarise is also a violation of the Plagiarism Policy and may invoke a penalty.

For further information on the University policy on plagiarism, please refer to the Policy on Student Academic Integrity at the following link -


The University has established a software plagiarism detection system called Turnitin. When you submit assessment items please be aware that for the purpose of assessing any assessment item the University
Students may be required to provide written assessment items in electronic form as well as hard copy.

Marks and Grades Released During Term

All marks and grades released during the term, are indicative only until formally approved by the Head of School on the recommendation of the School Assessment body.

Extension of Time for Assessment Items, Deferred Assessment and Special Consideration for Assessment Items or Formal Written Examinations

Students are required to submit assessment items by the due date, as advised in the Course Outline, unless the Course Coordinator approves an extension of time for submission of the item. University policy is that an assessment item submitted after the due date, without an approved extension, will be penalised.

Any student:

1. who is applying for an extension of time for submission of an assessment item on the basis of medical, compassionate, hardship/trauma or unavoidable commitment; or

2. whose attendance at or performance in an assessment item or formal written examination has been or will be affected by medical, compassionate, hardship/trauma or unavoidable commitment;

must report the circumstances, with supporting documentation, to the appropriate officer following the instructions provided in the Special Circumstances Affecting Assessment Procedure - Policy 000641.

Note: different procedures apply for minor and major assessment tasks.

Please go to the Policy at [http://www.newcastle.edu.au/policylibrary/000641.html](http://www.newcastle.edu.au/policylibrary/000641.html) for further information, particularly for information on the options available to you.

Students should be aware of the following important deadlines:

- **Requests for Special Consideration** must be lodged no later than 3 working days after the due date of submission or examination.

- **Requests for Extensions of Time on Assessment Items** must be lodged no later than the due date of the item.

- **Requests for Rescheduling Exams** must be received no later than ten working days prior the first date of the examination period

Your application may not be accepted if it is received after the deadline. In the first instance, students who are unable to meet the above deadlines due to extenuating circumstances should speak to their Program Officer or their Program Executive if studying in Singapore.

Changing your Enrolment

The census dates below are the last dates to withdraw without academic penalty. For onshore students, withdrawal on or before the census date means no financial penalty.

For semester 1 courses: 31 March 2008

For semester 2 courses: 31 August 2008
For Trimester 1 courses: 18 February 2008
For Trimester 2 courses: 9 June 2008
For Trimester 3 courses: 22 September 2008
For Trimester 1 Singapore courses: 3 February 2008
For Trimester 2 Singapore courses: 25 May 2008

Students may withdraw from a course without academic penalty on or before the last day of semester. Any withdrawal from a course after the last day of semester will result in a fail grade.

Students cannot enrol in a new course after the second week of semester/trimester, except under exceptional circumstances. Any application to add a course after the second week of semester/trimester must be on the appropriate form, and should be discussed with staff in the Student Hubs or with your Program Executive at PSB if you are a Singapore student.

To check or change your enrolment online, please refer to myHub - Self Service for Students

https://myhub.newcastle.edu.au

Faculty Information

The Student Hubs are a one-stop shop for the delivery of student related services and are the first point of contact for students studying in Australia.

The four Student Hubs are located at:

**Callaghan campus**

- Shortland Hub: Level 3, Shortland Union Building
- Hunter Hub: Student Services Centre, Hunter side of campus

**City Precinct**

- City Hub & Information Common: University House, ground floor in combination with an Information Common for the City Precinct

**Ourimbah campus**

- Ourimbah Hub: Administration Building

For Port Macquarie students, contact your program officer or EnquiryCentre@newcastle.edu.au, phone 4921 5000

For Singapore students, your first point of contact is your PSB Program Executive

Faculty websites

**Faculty of Business and Law**


**Faculty of Education and Arts**

http://www.newcastle.edu.au/faculty/education-arts/

**Faculty of Engineering and Built Environment**

http://www.newcastle.edu.au/faculty/engineering/

**Faculty of Health**
http://www.newcastle.edu.au/faculty/health/

Faculty of Science and Information Technology
http://www.newcastle.edu.au/faculty/science-it/

Contact details

Callaghan, City and Port Macquarie
Phone: 02 4921 5000
Email: EnquiryCentre@newcastle.edu.au

Ourimbah
Phone: 02 4348 4030
Email: EnquiryCentre@newcastle.edu.au

The Dean of Students
Resolution Precinct
Phone: 02 4921 5806
Fax: 02 4921 7151
Email: resolutionprecinct@newcastle.edu.au

Deputy Dean of Students (Ourimbah)
Phone: 02 4348 4123
Fax: 02 4348 4145
Email: resolutionprecinct@newcastle.edu.au

Various services are offered by the University Student Support Unit:

Alteration of this Course Outline

No change to this course outline will be permitted after the end of the second week of the term except in exceptional circumstances and with Head of School approval. Students will be notified in advance of any approved changes to this outline.

Web Address for Rules Governing Undergraduate Academic Awards

Web Address for Rules Governing Postgraduate Academic Awards

Web Address for Rules Governing Professional Doctorate Awards

STUDENTS WITH A DISABILITY OR CHRONIC ILLNESS

The University is committed to providing a range of support services for students with a disability or chronic illness.

If you have a disability or chronic illness which you feel may impact on your studies, please feel free to discuss your support needs with your lecturer or course coordinator.

Disability Support may also be provided by the Student Support Service (Disability). Students must be registered to receive this type of support. To register please contact the Disability Liaison Officer on 02 4921 5766, or via email at: student-disability@newcastle.edu.au
As some forms of support can take a few weeks to implement it is extremely important that you discuss your needs with your lecturer, course coordinator or Student Support Service staff at the beginning of each semester.

For more information related to confidentiality and documentation please visit the Student Support Service (Disability) website at: www.newcastle.edu.au/services/disability

Online Tutorial Registration:

Students are required to enrol in the Lecture and a specific Tutorial time for this course via the Online Registration system. Refer - http://studinfo1.newcastle.edu.au/rego/stud_choose_login.cfm

NB: Registrations close at the end of week 2 of semester.

Studentmail and Blackboard: Refer - www.blackboard.newcastle.edu.au/

This course uses Blackboard and studentmail to contact students, so you are advised to keep your email accounts within the quota to ensure you receive essential messages. To receive an expedited response to queries, post questions on the Blackboard discussion forum if there is one, or if emailing staff directly use the course code in the subject line of your email. Students are advised to check their studentmail and the course Blackboard site on a weekly basis.

Important Additional Information

Details about the following topics are available on your course Blackboard site (where relevant). Refer - www.blackboard.newcastle.edu.au/

- Written Assignment Presentation and Submission Details
- Online copy submission to Turnitin
- Penalties for Late Assignments
- Special Circumstances
- No Assignment Re-submission
- Re-marks & Moderations
- Return of Assignments
- Preferred Referencing Style
- Student Representatives
- Student Communication
- Essential Online Information for Students
Detailed Course Outline and Assessment Information

Detailed Course Content:
In 2008, PHIL3580 falls into two sections. (I) The first section consists of a 1 hour lecture and 1 hour tutorial per week, from weeks one to four. This section introduces students to general moral theories and specific techniques for dealing in with moral problems and dilemmas. (II) The second section of the course consists of a 1 hour lecture and a 1 hour tutorial per week, from weeks six to thirteen. This section introduces various moral issues of relevance to social work students, in particular: the Social Workers' Code of Ethics; social justice; positive discrimination; client self-determination; cultural awareness; confidentiality; conscientious objection.

Text:
References for each week's lecture and tutorial, and primary references for the essays, are contained in the following text. Students are required to have a copy of the text, which is available from Uprint.

Mintoff, J (ed). Ethical Issues in Social Work, 8th edn, (School of Humanities and Social Sciences, 2008).

References:
Students may find the following additional references useful, all of which have been placed in Auchmuty Short Loans.

General Ethics:
Feldman, F. Introductory Ethics, (Prentice-Hall, 1978) – Auch 170 FELD-1

Social Work Ethics:
Honderich, T & Burnyeat, M (eds), Philosophy As It Is, (Penguin, 1979) – Auch 190 HOND
Reamer, F G. Social Work Values and Ethics, (Columbia University Press, 1995) – Auch 361.32 REAM

Detailed Assessment Items:
The assessment will consist of the following:
(i) Minor Assignment of about 1500 words, worth 30%, distributed via Blackboard in week 2 (also available in Course Notes), due at 1pm Wednesday in week 7 to BOTH Shortland Hub, Level 3, Shortland Union Building (Hardcopy) AND TURNITIN via Blackboard (Electronic Copy);
(ii) Major Essay of 2000 words, worth 40%, distributed via Blackboard in week 8 (also available in Course Notes), and due at 4pm Friday in week 13 to BOTH Shortland Hub (Hardcopy) AND TURNITIN via Blackboard (Electronic Copy);
(iii) Tutorial Presentation, of 1000 words and presented during a tutorial, worth 20%, to be allocated in the week 2 tutorial, due on the agreed date of the presentation to your tutor (Hardcopy); and
(iv) General Class Participation, assessed during tutorials, and worth 10%.

Non-Repetition of Work. Students are required to attempt different topics for their tutorial presentation and their essay question. For example, if your tutorial paper is on Confidentiality, then you must not do your
essay on this topic. The penalty liable for students found repeating work is to the loss of all the marks for one or other of the two pieces of work on the same question.

SECTION I: MORAL METHODOLOGY
This section introduces students to two general moral theories, and specific techniques for dealing with moral issues and dilemmas.

WEEK 1 (Lecture Date: 23 Jul)

Lecture: Introduction to Ethics
Although we use moral language all the time, little of our discussion directly concerns the truth of the moral principles underlying our discussion. The first lecture introduces the idea of discussion of moral principles, and provides an overview of the course.

Lecture Reading: Ethical Issues, ch 1

Tutorial: No Tutorial This Week

WEEK 2 (30 Jul)

Lecture: Kantian Ethics; Utilitarianism
Which actions are right, and which are wrong? Some ambitious thinkers have attempted to say something general and all-embracing in answer to this question. (i) According Deontological ethics, it is never morally permissible to treat humans as mere means, and we ought to act only on those principles which we could at the same time will that everyone acts on. (ii) According to Utilitarianism, the right thing to do is whatever will promote the greatest happiness for the greatest number. This lecture very briefly introduces and discusses these two main moral theories.

Lecture Reading: the Deontological Theory (Ethical Issues, ch 2)

Lecture Reading: the Utilitarian Theory (Ethical Issues, ch 2)
[For copyright reasons, this reference is available only in Auchmuty Short Loans]

Tutorial: Tutorials Start This Week

WEEK 3 (6 Aug)

Lecture: Understanding Moral Discussion
The only rational means of addressing disagreements over moral principles and specific cases is argument and counter-argument. This involves talking with, and reading the work of, other people. This lecture discusses some basic techniques for understanding moral argumentation, and illustrates them with Peter Singer’s discussion of our obligations to those suffering from absolute poverty.

Lecture Reading (Ethical Issues, ch 3)

Guided Tutorial: Understanding Moral Discussion: Abortion
Presenter #1:
(a) Describe in your own terms the so-called conservative argument for the wrongness of killing a human fetus. Singer considers a number of suggested dividing lines between a fertilized egg and a child. Explain in your own terms each such suggestion, and his response to it.
Presenter #2:
(b) Describe in your own terms the so-called Feminist Argument for the liberal position on abortion. What objections does Singer have to this argument?

Tutorial Reading (Ethical Issues, ch 3)

WEEK 4 (13 Aug)

Lecture: Evaluating Moral Discussion
After understanding the argument a person gives for their moral views, one needs to determine how good that argument is. This lecture introduces and illustrates some basic techniques for evaluating moral argumentation, again illustrating them with Singer’s discussion of Rich and Poor.

Lecture Reading (Ethical Issues, ch 4)

Guided Tutorial: Evaluating Moral Discussion: Abortion
Presenter #1:
(c) Describe in your own terms how Singer himself chooses to deal with the conservative argument against abortion.
Presenter #2:
(d) Singer realizes that his own position is susceptible to an important objection. Describe that objection in your own terms, and Singer’s response.

EACH Presenter:
(e) The answer you need to provide to this question depends on your forming an attitude towards abortion. Say whether you are more inclined to think that abortion is morally wrong, or more inclined to think that it is not morally wrong. And then:
(i) If you are more inclined to think abortion IS morally wrong, explain in detail how you would respond to Singer’s own objections to the conservative argument on pp. 116-119.
(ii) If you are more inclined to think abortion is NOT morally wrong, explain what you disagree with in the conservative argument on p. 107. Note that: (a) if you are inclined to agree with one of the liberal arguments, then you will need to reply to Singer’s objections to that argument; (b) if you are inclined to agree with Singer, then you may need to investigate the possibility of drawing a morally significant distinction between killing a fetus and killing an infant; (c) if you have some other reason for rejecting the conservative argument, then explain that reason in detail.

Tutorial Reading (Ethical Issues, ch 3)
As for Week 3.

WEEK 5 (20 Aug)

Lecture: No Lecture This Week
Tutorial: No Tutorial This Week

SECTION II: ETHICAL ISSUES IN SOCIAL WORK
This section introduces various moral issues of relevance to social work students.

WEEK 6 (27 Aug)

Lecture: The Social Workers’ Code of Ethics
The Code of Ethics of the Australian Association of Social Workers claims that social workers are ‘dedicated to serve for the welfare and self-fulfillment of human beings as well as the societies in which they live’. This lecture will introduce the implications of this general statement, and the specific moral issues it raises.

Lecture and Week 11’s Tutorial Reading (Ethical Issues, ch 6)

Tutorial: The Social Workers’ Code of Ethics – Tutorial for this topic is in Week 11

Tutorial: Allocation of Limited Resources
Presenter #1:
(a) Detail Case 6.1 ("The Allocation of Limited Resources") to the class.
(b) Explain in your own terms how compensation and contribution might guide the distribution of scarce resources, and the possible problems with using either criterion.

Presenter #2:
(c) Explain in your own terms how equality and need might guide the distribution of scarce resources, and the possible problems with using either criterion.

EACH Presenter:
(d) Given that the budgetary situation now allows the agency to provide only half as much service as previously, you need to say how this should be done, and why. In particular:
(i) To whom should the current level of service be reduced, and what order of priority do you think is appropriate?
(ii) Explain what reasons there are for your judgment, and the principles that underlie those reasons.

Tutorial Reading (Ethical Issues, ch 6)

WEEK 7 (1 Sep)

Lecture: Social Justice (AASW Code §3.2)
A significant proportion of the funding for social work comes directly or indirectly from the government, as part of its social welfare responsibilities. How extensive are these responsibilities?

Lecture and Tutorial Reading (Ethical Issues, ch 7)

Tutorial: Social Justice
Presenter #1:
(a) Explain in your own terms Nozick’s Entitlement Theory of Justice, and why he thinks that liberty upsets patterns.
(b) Describe at least one objection to Nozick’s theory contained in the readings.

Presenter #2:
(c) Explain in your own terms Rawls’ Theory of Justice, in particular the Difference principle, and his justification for this theory.
(d) Describe at least one objection to Rawls’s theory contained in the readings.

EACH Presenter:
(e) The answer you need to provide to this question depends on you making a judgment about the adequacy of the preceding theories of justice. State whether you are inclined to agree with (i) Nozick’s entitlement theory, (ii) Rawls’s two principles of justice, or (iv) neither of these views. Depending on your response, answer ONE of the following:
(i) if you are inclined to agree with Nozick’s entitlement theory, describe how you respond to the objections to it; OR
(ii) if you are inclined to agree with Rawls’s two principles of justice, describe how you respond to the objections to it; OR
(iii) If you agree with neither of these views, then explain what you take to be a more plausible theory of justice, the justification for believing this theory, and how it deals with the objections to both Nozick’s and Rawls’s theories.

WEEK 8 (10 Sep)

Lecture: Positive Discrimination (AASW Code §4.1.2(b))
The AASW’s 1999 Code of Ethics states that ‘[i]n circumstances where individual/group differences affect clients’ needs, positive discrimination may be ethically justifiable’. How can we determine when such discrimination actually is ethically justifiable?

Lecture and Tutorial Reading (Ethical Issues, ch 8)

**Tutorial: Positive Discrimination**
The tasks below relate to the following arguments: (B) "80% of women lack the physical strength to perform job J. Therefore, employers are justified in refusing to consider any women as candidates for J." (C) "80% of the members of group G are victims of past injustice. Therefore, compensatory programs are justified in providing benefits to all members of G."

Presenter #1:
(a) Simon considers the claim that the morally relevant difference between (B) and (C) relates to "pragmatic considerations" (p 357). Explain in your own terms how this is supposed to make a difference, and what Simon's response is to the claim?
(b) Simon also considers the claim that the difference relates to "actual discriminatory effect" (p 358). Explain in your own terms [etc].

Presenter #2:
(c) Explain in your own terms Ketchum's response to Simon.
(d) Explain in your own terms how she would reply to those white males who would complain about not getting jobs because of a policy of preferential treatment in favor of blacks.

EACH Presenter:
(e) The answer you need to provide to this question depends on your forming an attitude towards positive discrimination. State whether you think that positive discrimination is morally justifiable in some circumstances. And then:
(i) if you think that positive discrimination is SOMETIMES morally justifiable, explain what you think the morally relevant difference is between it and negative discrimination, making sure you address any objections to that difference which occur in the readings.
(ii) if you think that positive discrimination is NEVER morally justifiable, explain how you would respond to Ketchum's discussion of Simon.

**WEEK 9 (17 Sep)**

**Lecture: Client Self-Determination (AASW Code §4.2.3)**
A key aspect of social work values is the promotion of an individual's well-being and self-determination. Yet these values can conflict in cases where a person steadfastly insists on doing something that will harm them. Which value should take priority: well-being, or self-determination?

**Lecture and Tutorial Reading (Ethical Issues, ch 9)**

**Tutorial: Client Self-Determination**
Presenter #1:
(a) Describe the main facts of the case described in the *Weekend Australian* of 28 Nov 1998, and at least two other cases mentioned in *The National Interest* of 30 Nov 1998.
(b) Give an example of what McDermott refers to as a "persuasive" definition of self-determination, and explain why he objects to such definitions.
(c) How would you define self-determination? Could a person be self-determining and yet act against their own well-being?

Presenter #2:
(d) Explain in your own terms how Carter defines paternalism, the exact conditions under which she thinks paternalism is morally justified, and why.
(e) Apply Carter's account to the case described in the *Weekend Australian* of 28 Nov 1998, and at least two other cases mentioned in *The National Interest* of 30 Nov 1998.
(f) Under what conditions (if any) is paternalism morally justified? Consider this question in relation to Carter’s answer and others mentioned in the readings.

WEEK 10 (24 Sep)

Lecture: Cultural Awareness (AASW Code §4.2.4)
A respect for multiculturalism involves, in part, recognising and acknowledging the diversity or belief and behaviour between cultures, while also being aware that these may not always be in accord with one’s own, or with those of the general community. In such cases, how far does respect for other cultures extend?

Lecture and Tutorial Reading (Ethical Issues, ch 10)
Lane, S D, & Rubinstein, R A. ‘Judging the Other: Responding to Traditional Female Genital Surgeries,’ Hastings Center Report, May-June 1996, pp. 31-40, esp. pp. 32-37.

Tutorial: Cultural Awareness
Presenter #1:
(a) How does Hellsten understand liberalism? In your view, how might this view be used to justify the practice of female genital surgery (FGS) for adult women in a liberal democracy?
(b) What is Hellsten’s objection to such an argument, and how in turn do Arab and African women respond to such objections?
Presenter #2:
(c) How does Hellsten understand communitarianism, and how might this view be used to justify the practice of FGS in a liberal democracy?
(d) Explain in your own terms Hellsten’s objection to such an argument.
EACH Presenter:
(e) The answer you need to provide to this question depends on your forming an attitude towards female genital surgery. Under what conditions, if any, is FGS morally permissible in an Australian context? State at least one objection to your view, and how you would respond. For example, if you think that:
(i) no form of FGS is permissible, even on adult women, then how would you respond to the claim that this would violate the autonomy of those adult women who would choose it?
(ii) only circumcision is permissible on female children, and all forms of FGS are permissible on competent and consenting adult women, then how would you respond to the claim that female children have no say in the matter?
(iii) all forms of FGS are permissible, including on female children, then how would you respond to the claim that even adult women who choose such surgery will have been coerced by their community into the decision?

MID-SEMESTER BREAK (29 Sep - 10 Oct)

WEEK 11 (15 Oct)

Lecture: Philosophy Essays
This lecture provides a brief recap of the lectures on moral methodology, and explains the formal requirements and marking criteria for the Major Essay.

Lecture Reading (Ethical Issues, chs 3, 4, 11)

Tutorial: The Social Workers’ Code of Ethics
Presenter #1:
(a) Briefly summarize the main points of the AASW’s 1989 Code of Ethics, and the key ways in which the 1999 version differs from it.
Presenter #2:
(b) Detail the following clauses from the current Code of Ethics, regarding: Positive Discrimination (AASW Code §4.1.2(b)), Client Self-Determination (§4.2.3(d)), Cultural Awareness (§4.2.4(c),(d)).
EACH Presenter:
(e) The answer you need to provide to this question depends on trying to improve the current Code, by rewriting these clauses. Using our discussions in the previous weeks as a basis, write what you take to be better versions of the current clauses on Positive Discrimination (§4.1.2(b)), Client Self-Determination
(§4.2.3(d)), and Cultural Awareness (§4.2.4(c),(d). And then justify each clause:

(i) For each of your clauses which is not exactly the same as the one in the current Code, justify in detail why your change is an improvement, and why it addresses any criticisms which might be made of the current version.

(ii) For each of your clauses which is exactly the same as the one in the current Code, justify in detail why you left that clause as it was, especially if it can in some way be criticized for being vague, mistaken, or just unhelpful.

**Tutorial Reading** *(Ethical Issues, ch 6)*


**WEEK 12 (22 Oct)**

**Lecture: Confidentiality** *(AASW Code §4.2.5)*

Resolution of personal problems depends in the first instance on trust between the social worker and client, which itself depends on the client's knowing that their revelations are confidential. But what about when respecting confidentiality hinders the welfare of one's own client, or others? May it be broken?

**Lecture and Tutorial Reading** *(Ethical Issues, ch 12)*


**Tutorial: Confidentiality**

Presenter #1:

(a) Briefly describe the *Tarasoff* Case, and three other types of circumstances in which there might be an infringement of confidentiality.

(b) Explain in your own terms Justice Tobriner's opinion that confidentiality is important but limited, and his argument for that opinion.

Presenter #2:

(c) Explain Justice Clark's opinion in favor of full confidentiality, and his argument for that opinion.

(d) Explain C L Clarke's view that it would be better "to discard the blanket presumption of confidentiality", and his reasons for this view.

EACH Presenter:

(e) The answer you need to provide to this questions depends on your adjudicating the debate between the authors above. State who, in your view, has the most plausible view about confidentiality. And then:

(i) if you favor Justice Tobriner's opinion that confidentiality is important but limited, then explain why you reject Justice Clarke's and C L Clarke's objections to that opinion;

(ii) if you favor Justice Clarke's opinion in support of full confidentiality, then explain why you reject Justice Trobiner's and C L Clarke's objections to that opinion;

(iii) if you favor C L Clarke's view that it is better to discard the presumption of confidentiality, then explain why you reject Justice Trobiner's and Justice Clarke's objections to that view.

**WEEK 13 (29 Oct)**

**Lecture: Conscientious Objection** *(AASW Code §5.1.3)*

Some of the most difficult dilemmas that social workers face occur when their personal values conflict with the values of others. The AASW Code of ethics asserts that, in some circumstances, conscientious objection may be a justifiable ground for re-directing service, though it emphasizes that there are ethical limits. How are such dilemmas to be dealt with?

**Lecture and Tutorial Reading** *(Ethical Issues, ch 13)*


Mintoff, J. "Value Conflict", in *Ethical Issues*, (School of Humanities and Social Sciences, 2008): ch 13.


**Tutorial: Conscientious Objection**

EACH Presenter:

(a) Describe a case from your own imagination in which your client is proposing to do something that you disapprove of as much as Brent C disapproves of abortion, as described at Case 4.11 (Brent C) from Reamer 1995.

Presenter #1:

(b) What is conscientious objection? Illustrate with your own case. Explain in your own terms the argument at Bayles 1981: 52-3 in favor of refusing to work with immoral clients, and even refusing to refer them to others.

(c) What is value discussion? Illustrate with your own case.

Presenter #2:

(d) What is value neutrality? Illustrate with your own example. Explain in your own terms the arguments canvassed at Loewenberg & Dolgoff 2005: 115 in favor of value neutrality, and their response.

(e) What is value imposition? Illustrate with your own case.

EACH Presenter:

(f) Consider your case above in which your client is proposing to do something that you disapprove of as much as Brent C disapproves of abortion. What is the greatest intervention (from conscientious objection to value imposition) you think is morally justified in this case? Describe an objection someone might have to your view, and what your response would be.

**WEEK 14 (5 Nov)**

**Lecture:** No Lecture This Week

**Tutorial:** No Tutorial This Week