



John Hubert Plunkett Centre for Ethics

Annual Report 2023



Mission

The Mission of the Centre is to promote the values of compassion and fellowship, intellectual and professional excellence, and fairness and justice. The Centre's primary focus is on the realisation of these values in the provision and allocation of health care. The Centre expresses this commitment through research, teaching and community engagement, as these are informed by the Catholic tradition.

Objectives

- To deepen and advance knowledge and understanding of the ethical standards relevant to human health and well-being, and in particular to clinical practice, medical research, business and management practices, and the allocation of healthcare resources.
- To offer courses in philosophical ethics and in the ethics of healthcare provision, medical research and healthcare resource allocation.
- To engage and where appropriate to collaborate with local, national and international bodies as they seek to respond to their intellectual and ethical needs.
- To foster collaboration on ethical matters between Australian Catholic University, St Vincent's Health Network Sydney, Calvary Healthcare, Cabrini Health Melbourne and Mercy Health Melbourne.

Functions

- Conducting and promoting research.
- Providing research training and supervision.
- Developing and teaching courses.
- Conducting reviews of professional practice.
- Providing an ethics consultation service.
- Participating in public discussions.

John Hubert Plunkett

John Hubert Plunkett was the first Catholic Solicitor-General and the first Catholic Attorney-General of New South Wales. He was, at various times, a member of both the Legislative Council and the Legislative Assembly, a member of the first Senate of the University of Sydney and an early Vice-Chancellor of the University. He was the first Chairman of the Board of Education of New South Wales and a founding fellow of St. John's College at the University. He was also a great friend and benefactor of the Sisters of Charity in Australia.



Plunkett was born in Roscommon in Ireland in June, 1802. In 1830 he was appointed Solicitor-General of New South Wales. In 1836, he became Attorney-General, a remarkable achievement for an Irishman and Catholic. As chief law officer, Plunkett made an important contribution to the slow and difficult process by which the penal colony of New South Wales developed the institutions of a free society.

Plunkett was a leader in establishing civil rights in Australia. He drafted the Magistrate's Act, which abolished summary punishment, the administration of justice by private householders and the excessive use of the lash. He argued successfully for the abolition of convict assignment. He secured jury rights for emancipists. He extended the protection of the law to convicts and assigned servants. After securing the conviction of seven white men for the killing of an Aboriginal man at Myall Creek in 1838 (in a massacre in which the whole tribe was killed), he extended the protection of the law for the first time to Aboriginal Australians. But as a Catholic who knew what emancipation meant, Plunkett himself considered the Church Act of 1836, which disestablished the Church of England, his most important single achievement.

When the Sisters of Charity arrived in Sydney from Ireland in 1838, Plunkett organised a public appeal to establish their first hospital in Sydney and helped the Sisters to acquire the narrow strip of land along Victoria Street in Darlinghurst to which the first St. Vincent's Hospital, which had opened its doors in Potts Point, was relocated in 1870. Plunkett's two great recreations were the violin and Irish folk music. He died in May 1869, and was buried in Sydney's Devonshire Street cemetery.

Thousands of Australians, of every religious belief and of none, have experienced the first-class health care that is inspired by the Sisters of Charity. Others have been educated by the Sisters. There are, thus, many Australians with reason to be grateful for the kind and practical help which John Hubert Plunkett gave to the women who founded the Sisters of Charity in Australia.

Management Committee



Ms Heidi Bayliss,
CEO, St Vincent's Private
Hospital, Sydney
(until 30 June)



Mr Mark Green
National Director,
Mission,
Calvary Healthcare



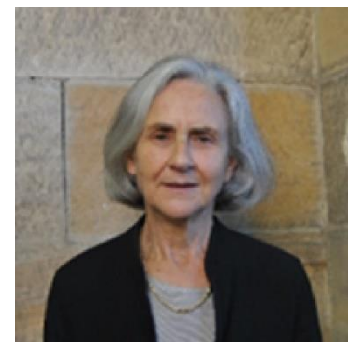
A/Prof Richard College.
Executive Dean,
Faculty of Theology &
Philosophy, ACU



Prof Hayden Ramsay
Deputy Vice-Chancellor,
(Education), ACU



Ms Anna McFadgen
CEO, St Vincent's
Health Network Sydney
(from 1 July)



Dr Bernadette Tobin
Acting Director,
Plunkett Centre



Professor Matt Sabin
Director Medical Services,
Cabrini Hospital Melbourne



Ms Angela Nolan
CEO,
Mercy Hospital,
Melbourne



Ms Annette Czerkesow
CEO,
Mater Hospital,
Sydney

From the Chair

Once again, I have the great pleasure of introducing the Annual Report of the Plunkett Centre for Ethics.

This report summarizes the Centre's activities in 2023.

The Plunkett Centre is one of the most important works of the University both in terms of clinical and academic input and contribution to Catholic faith and mission. Ethics remains utterly focal in the new ACU strategic plan, Vision 2033, and Plunkett joins other ACU staff active in working for ethical excellence in the field of healthcare.



The year 2024 marks the passing of the torch from Bernadette to Dr Xavier Symons. Many of us know Xavier from his work at ACU or from the conference circuit. Personally, I was delighted that Xavier came through the competitive process and now will return 'home' from Harvard to take up appointment as Director.

Anything I say to mark the many years Bernadette has served the University, Plunkett and our hospital partners would be grossly inadequate. In fact, it feels almost impertinent for me, after a mere seven years at the University, to attempt this. I simply note that Bernadette has given all she has in the service of the Church, the academy and the Catholic hospitals and aged care providers of Australia. For this hard work, fidelity and for the serious intellectual firepower she brings, Bernadette has our warmest thanks.

The small team at Plunkett works very hard—and is always aware of the incredible work done day by day by our partners.

To the hospital and aged care partners of Plunkett, may I say on behalf of the University: thank you once again for our partnership, for your trust in Plunkett and for our collaboration across many projects and activities. We value the Plunkett partnership highly and respect greatly the critical work your institutions carry out.

And now begins a new chapter in Plunkett's history. There will be change of course. There will also be full delivery of those services we have undertaken to provide. Above all, I hope that under Xavier's leadership a renewed vision for Plunkett will develop and some exciting opportunities emerge.

To Bernadette, Pip, Steve, Marija and Xavier, my sincere thanks for the work of 2023.

Professor Hayden Ramsay
Deputy Vice Chancellor, Education
Australian Catholic University
22 March 2024

Staff

Marija Kirjanenko

MD, MSc Crit Care, FACEM,
MSt, Practical Ethics, Oxon
MAppSc (RMIT), AFRACMA
Lecturer in Bioethics



Steve Matthews

BA (Hons) Monash University
PhD, Monash University
Senior Research Fellow in Philosophy, ACU



Xavier Symons

BA Adv. Hons, University of Sydney
MA (Res.), University of Sydney
PhD, Australian Catholic University
MSt, Practical Ethics, Oxon
Postdoctoral Research Fellow, Harvard University



Bernadette Tobin AO GCSG
MA MEd University of Melbourne
PhD, University of Cambridge
Reader in Philosophy, ACU
Conjoint Associate Professor, UNSW



Pip Wilson

Administrative Assistant



From the Director

Over the last year, staff of the Centre engaged in research, provided a consultation service to clinical staff in hospitals in New South Wales and Victoria, taught ethics at Australian Catholic University, supervised Honours students, refereed many articles submitted to philosophical journals, and contributed as speakers at meetings in Australia and overseas.

The past year marked the first of a new five year agreement between Australian Catholic University and ‘participating partner’ hospitals with respect to the Centre. Whilst that agreement ensures stability, continuity and predictability, changes in key staff at each institution provide the occasion for regular refreshing of the issues under our consideration. In addition, a ‘service agreement’ has been signed between Villa Maria Catholic Homes in Melbourne and Australian Catholic University.

It is a matter of pride to the staff of the Centre that our assistance to clinicians and administrators in responding to the challenges of providing healthcare to everyone – as informed by the ideals of the Catholic ethical tradition – continues to be found useful. The demanding nature of those challenges never eases! Amongst them are developments in the use of AI in healthcare and proposals to create ‘synthetic’ embryos for experimental purposes. The legalization of so-called ‘voluntary assisted dying’ has meant that our institutions have had to work out ways in which they can provide the best possible care to people who are dying without facilitating (nor obstructing access to) a practice we judge to be at odds with medicine’s traditional goal of healing the sick and the dying. In addition, the effects of the judgment of the US Supreme Court in *Dobbs v Jackson*, returning the legal status of abortion to the individual states there, have spilled over into Australian debates about ‘women’s reproductive healthcare’. In that regard, our hospitals do not provide nor facilitate abortion but are committed to ensuring that women who experience difficulties during pregnancy receive first-class life- and health- preserving treatment and care.

In 2023 staff continued to host fortnightly meetings of colleagues working in the area of clinical ethics in Catholic facilities in Australia and New Zealand. Staff contributed to the work of other bodies on matters including the care of children experiencing gender dysphoria, the art of Christian accompaniment of the dying, and a refreshing of the *Code of Ethical Standards for Catholic Health and Aged Care Services in Australia*. In addition, staff were co-investigators on two ARC Grant applications.

It is, then, with pleasure that I introduce the Annual Report of the Plunkett Centre for 2023. Next year’s will come from Dr Xavier Symons, the new Director, who takes up his appointment in April. I greatly look forward to continuing to work at the Plunkett Centre under his direction.

Bernadette Tobin
Acting Director
15 March 2024

Research

Staff of the Plunkett Centre conduct research in the following areas:

- **Contemporary normative theory**, in particular virtue theory, and its relation to Kant's ethics and to consequentialism.
- **Clinical ethics**, in particular the canons of therapeutic responsiveness; competence, consent and decision making about sick children; end-of-life decision making; advance care planning; assisted reproductive technologies; organ and tissue donation; professional role ethics, the law and clinical ethics; regenerative medicine; public health ethics.
- **Psychiatric ethics**, in particular the threat of psychopathology to moral identity and moral agency, respect for autonomy, competence and coercion, the moral responsibility of impaired persons, the law and psychiatry, and the ethical challenges posed by developments in neuroscience.
- **Bioethics**, in particular the Catholic Christian contributions to, and its debates with, contemporary secular bioethics; human sexuality and procreation; the practice of parental involvement at the end-of-life treatment for their children; the meaning of suffering in the Intensive Care Unit; the history of organ donation; issues associated with the care of deceased persons.
- **Research ethics**, in particular traditional debates about ethical standards with respect to research involving human participants and research involving animals; contemporary debates about genetic technologies, biotechnologies, stem cells and bio banking.
- **Resource allocation**, in particular debates about the roles of the individual, the family, the market and the state in the provision of healthcare; policies for the just allocation of scarce medical resources.
- **Artificial intelligence (in medical contexts)**, in particular the role that online therapies play in treatment, reduction of costs, therapeutic effectiveness and in threatening the clinician-patient relationship.

Publications

Matthews

- Compassionate Understanding, *Journal of Medicine and Philosophy*, forthcoming
- Truthfulness and sense-making: two modes of respect for agency (with Jeanette Kennett), *Journal of Philosophy*, forthcoming.
- The Relational Care Framework: Promoting Continuity or Maintenance of Selfhood in Person-Centred Care (with Matthew Tieu), *Journal of Medicine & Philosophy*, 2023
- Internet Ethics, *International Encyclopedia of Ethics*, Hugh LaFollette (ed). Wiley-Blackwell. 2023.

Symons

- Moral distress as critique: going beyond illegitimate institutional constraints (with Kate Jackson Meyer & Charlotte Duffee, *American Journal of Bioethics* 23;4: 79-82, 2023
- On the importance of consistency: a response to Giubilini et al, *Journal of Medical Ethics*, published online 2023
- Abortion, euthanasia, and the limits of principlism (with Briean Rigby), *Medicine, Healthcare and Philosophy*, 26: 549 – 556, 2023
- The virtues of limits and new directions in bioethics, *Cosmos + Taxis*, forthcoming.
- Aristotelian flourishing and contemporary philosophical theories of wellbeing, *Journal of Happiness Studies*, forthcoming.

Tobin

- Is a doctor's conscience mere personal preference? *MecatorNet*, 30 November, 2023

Selected presentations

Matthews

- Flourishing at the end of life. Centre for Ethics and Culture, Fall Conference, University of Notre Dame, Indiana, November.

Symons

- Getting clear on Catholic conscience, Makarios Conference, ACU Rome Campus, May
- Response to Bernadette Tobin, Mary Aikenhead Ministries Conference, May

Tobin

- Ethical issues in healthcare post pandemic, Tablet Webinar, panelist, March
- Mitochondrial Donation - Ethical Issues, University of Notre Dame Australia, May
- Inaugural Mary Aikenhead Oration, Mary Aikenhead Ministries Conference, May
- Ethical issues in advance care planning, Advance Care Planning Annual Seminar, June.
- Identifying & enacting objective human values, Aged Care Workforce Alliance, July
- Ethical resources for responding to catastrophes, Panelist, PM Glynn Institute, August
- *You can ask that!* Panelist, Calvary Leadership Conference, November

Common confusions about the common good

In November John Haldane gave the Annual Plunkett Lecture on common confusions about the common good. The lecture was memorable for its learning, its implications for healthcare in the Catholic tradition, and for the liveliness of the discussion it generated.

Professor Haldane took seriously the custom, for someone giving a lecture carrying the name of an honoured figure, to say something about the person after whom the lecture is named, John Hubert Plunkett, and to make a connection between Plunkett and the topic of the lecture.

He showed how Plunkett's attitudes and practices raise matters relevant to the questions about the common good and how it can be pursued in a pluralist society. The lecture constitutes an original and significant contribution to the literature on a man once dubbed the 'Martin Luther King' of the colony of New South Wales. It will be published in the *Australasian Catholic Record*.

In the course of the lecture, Professor Haldane distinguished, and thus clarified, key conceptions of human goods, amongst which are: an *individual good*, that is, a good for or of an individual; a *collective good*, that is, an aggregation of individual goods; a *private good*, that is, one the possession of which excludes its possession or use by others; a *public good*, that is, one the use of which cannot be restricted even by its owner; and the *common good*, that is, a set of social arrangements (education, health services, security, the law, political institutions) that enables individuals and groups to pursue their individual and shared goods.

It follows that, contrary to a common misconception, the common good is not merely an aggregation of individual goods. Indeed, it is essentially participatory: for it to exist is for people to be contributing to it or sharing in it. However, to specify it more fully one would need an account of the kind of agents involved and of their activities. Professor Haldane addressed each of these matters, and in addition the question of the place of the state in the realization of the common good. He argued that healthcare should be seen not just as a public good because participation in the social order bears on well-being. In addition, if we feel (as we do feel) diminished if others in the community are ill-served, then healthcare should be seen as a common good, not merely in the restricted sense of enabling people to pursue their own good but in the larger sense of being part of a shared constitutive good.



John Haldane

Consultancies

A selection of ethical issues addressed:

- ‘Non-abandonment’ in the context caring for people contemplating assisted suicide or euthanasia.
- The use and misuse of AI in healthcare.
- The constituents of women’s reproductive healthcare.
- The care, and treatment, of adults seeking ‘transgender’ medicine.

Summary by source

Year	St Vincent’s Health Australia	Calvary Healthcare	Cabrini Hospital	Mercy Hospital	Other	Total
2023	16	4	8	1	22	51
2022 ¹						
2021	27	7	6		22	62
2020	39	5	-		34	78
2019	30	9	-		18	57
2018	14	2	-		23	39
2017	32	-	-		11	43
2016	11	-	-		23	34
2015	16	-	-		22	38
2014	18	-	-		23	41

Summary by profession

Year	Admin ²	Medical	Nursing	Allied Health	Other	Total
2023	23	14	-	1	13	51
2022	-	-	-	-	-	-
2021	24	13	1	3	21	62
2020	23	9	1	3	42	78
2019	34	9	2	3	9	57
2018	11	13	1	2	12	39
2017	12	19	-	2	10	43
2016	7	12	2	1	12	34
2015	3	13	6	2	14	38
2014	6	17	4	2	12	41

¹ Data unavailable

² Includes Chief Medical Officers, Directors of Mission, Bioethicists, etc.

Appointments

Marija Kirjanenko

Member, Clinical Ethics Response Group, Eastern Health, Melbourne
Clinical Ethics Lead, Specialist Trainee Program in Emergency Medicine, Box Hill Hospital.
Professional Practice Tutor, Faculty of Medicine, Melbourne University
Adjunct Senior Lecturer, Monash University

Steve Matthews

Member, ACU Human Research Ethics Committee
Member, Reference Group, ACU Queensland Bioethics Centre
Lead Research Contact, Study on Dementia Care Ethics, Research Impact Unit, ACU
Panel Member, Translate4Impact, Research Impact Unit, ACU
Member, Australian Neuroethics Network (ANN)
Assessor, Australian Research Council
Referee for *Journal of Bioethical Inquiry*, *Nursing Ethics*; *Ethical Theory and Moral Practice*;
Ethics and Information Technology; *Journal of Drug Issues*; *Philosophical Psychology*; *Journal of Medicine, Healthcare and Philosophy*; *Bioethics*.

Bernadette Tobin

Adjunct Associate Professor, Clinical School, Faculty of Medicine, UNSW
Member, Mission, Ethics and Advocacy Committee, St Vincent's Health Australia
Member, Blood Borne Viruses Advisory Panel, NSW Ministry of Health
Member, Clinical Ethics Advisory Panel, NSW Ministry of Health
Member, Governing Council, International Association of Catholic Bioethicists
Member, International Board of Regents, Bethlehem University
Member, Editorial Board, *Theoretical Medicine and Bioethics*
Member, Pontifical Academy for Life.
Member, Public Perceptions of Xenotransplantation Working Party, New York University's
Grossman School of Medicine

Financial Report 2023

Income

External

St Vincent's Public Hospital Sydney	130,000
St Vincent's Private Hospital Sydney	54,397
Mater & Griffith Hospitals	54,397
Mercy Aged & Community Care	54,397
Cabrini Health Australia	54,397
Calvary (LCMH) Health	80,000
Villa Maria Catholic Homes	40,798

Other

Consultancies	9,000
Miscellaneous Revenue	140

Internal

ACU	238,431
ACU – Melbourne staff	32,429
ACU-Supervision	2,640

Total Income **751,026**

Expenditure

Salaries	481,393
Rent	42,892
Travel Domestic	803
Travel International	1,496
Other	2,372

Total Expenses **529,043**

Carried Forward **221,983**

Notes

- 1 External parties invoiced as per MOU or Service Agreement.
- 2 Less than anticipated salaries due to postponement of commencement of new Director
- 3 Less than anticipated non-salary expenses due partly to ACU's cost control measures.