

SUBMISSION: REVISED REGULATORY PRINCIPLES

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BACKGROUND:

Over the past 12 years, I have submitted notifications to the regulators AHPRA, HCCC, and OHO concerning 185 chiropractors. In every case my 'notification' was detailed, referenced, evidenced, and demonstrated contraventions of science, Codes of Practice, the National Law, and Consumer Law. In many cases my notification was ignored, going by the failure of the chiropractor concerned to change their advertising.

In all of those 185 notifications to regulators, in only one case have I been informed of any action from them, and in that case it was because I accidentally came across a change to his registration details on the AHPRA website. In that case the chiropractor had conditions placed on his public registration that he must not engage in antivaccination activity. Where I have been informed of an outcome it is simply a letter advising me that the case is closed. The only way I have of finding out what happened is to look at the registry. There is no evidence available to me that the regulators took any action concerning the complaints about the other 184 chiropractors.

Lists of the conditions that chiropractors claim to treat, and which I have reported, are at Appendix 1. All of those claims are not evidence-based and are exploitative, even dishonest. In most cases the regulators have failed to act. It would be fair to say that the current regulatory regime places the finances and image of the chiropractic industry and feelings of chiropractors over public safety.

THE DRAFT PRINCIPLES:

I see that in the draft Principle 5 'minimum regulatory force' has been changed to 'apply the necessary regulatory response.'

At first glance, this appears to be a welcome improvement. Until today, when exposed by a notification to AHPRA/HCCC/OHO, chiropractors have received nothing more than a friendly phone call asking them to fix their advertising, often not even that.

This is an appalling neglect of the need to protect public safety and prevent exploitation. Fixing their advertising does not ensure that their practice is compliant; there are no on-site inspections of their practice and records to determine that.

Further, there are no routine on-site inspections. Such is the process in the aviation industry where the safety regulator, CASA, conducts on-site inspection of operators with and without notice, provides advice where improvements are needed, and applies sanctions where appropriate. None of that happens in the chiropractic industry, and it shows.

Finally, there is no evidence that chiropractic is safe. In the absence of a Mandatory Reporting System of Adverse Events. All we have are anecdotes and unsubstantiated claims. Such a mandatory reporting system exists in the aviation industry, with strict requirements for reporting and penalties for failing to do so.

CONCLUSIONS

It is clear that the regulators and the State and National Chiropractic Boards are failing to ensure that the public is treated safely and is not exploited. The current principles and practices are woefully deficient, with current emphases placed more on protecting the chiropractic industry and individual chiropractors.

RECOMMENDATIONS:

So, I recommend:

1. Response to a notification must lead to an investigation that goes beyond a phone call asking the practitioner to fix their advertising. That investigation must determine if the practitioner was in breach of the Codes of Conduct and legislation.
2. The Revised Regulatory Principle number 5, 'apply the necessary regulatory response,' needs to be defined. 'Necessary' and 'response' are entirely in the eye of the beholder and can be taken to mean 'a friendly phone call.' In other words, no change to the current regime. The definition should be 'apply financial penalties and educational requirements, suspension, apply conditions to registration.'
3. Penalties and conditions must be placed on AHPRA's public registration page.
4. On- site inspections to be introduced as a Standard Operating Procedure, with and without notice.
5. A Mandatory Adverse Event Reporting System to be introduced, with penalties for failure to comply.
6. People who submit a notification must be informed of the outcome of their report.

APPENDIX 1.

CHIROPRACTORS' CLAIMS

These are some of the conditions that some chiropractors claim to treat, have published advice that is contrary to the established science, or claim to use ineffective techniques and machines. In every case except the last three all have been reported to the regulators. Those items marked with an * have been the subject of warnings from the Chiropractic Board; those without were ignored.

CHIROPRACTORS' CLAIMS AND ACTIONS:

Published antivax propaganda*

Claims to boost immunity

Claim that the Covid 19 pandemic is 'just hysteria.' *

Claim to treat vertebral subluxations

Claim to treat PTSD

Use the Webster Technique on pregnant women*

Claim to treat asthma

Claim to treat colic

Claim to treat ear infections

Claim to treat behavioural problems

Promote amber teething necklaces, which have their own public health warning

Claim to treat babies' teething problems

Claim to treat "meh," whatever that is

Entered hospitals and treating patients without visiting rights or informing medical staff

Claim adjustment of baby allowed the baby to have "his first pool!"

Claims to treat 'wellness', whatever that is

Offered Promotional discounts and testimonials

Claim to treat ADHD

Claim to treat allergies

Claim to treat arthritis

Claim to treat breast feeding difficulties

Claim to treat carpal tunnel

Claim to treat bed wetting

Claim to treat reflux

Claim to treat ear infections

Claim to treat fibromyalgia

Claim to treat growing pains

Claims to improve Longevity

Claims to treat neck pain

Claims to treat pinched nerve

Claims to treat PMS

Claims to 'naturally kill cancer,'

Claims chiropractic 'helps fight cancer.'

Promote baking soda as a cancer cure

Promote magnets to kill cancer cells

Promote turmeric as a cancer treatment

Claims to treat depression

Allegation that deaths were caused by measles vaccine

Claims of cover-up regarding vaccines being a cause of autism

Publish anti-vaccine lies regarding the Amish, vaccines and autism:

Publish assertions that vaccines contain cancer, among other lies about vaccine ingredients: aluminium, formaldehyde, MSG, Mercury, Fetal cells, proteins, DNA, cancer

Claims "Chiropractic Adjustments Change Brain Function."

Publish Chemtrails conspiracy

Publish promotion of homeopathy

Publish Zika virus conspiracy theory

Told readers to cease taking their statin medication, or to refuse taking statins:

Promoted the use of colloidal silver

Conflated otitis media with otitis externa

Claim to treat headaches

Claim to treat IBS

Claim to treat stress

Claim to Treat CFS

Publish many claims regarding 'toxins'

Use of X-rays without a clinical indication

Promote Anti- fluoridation of water supplies

Claims chiropractic adjustments assisted in overcoming vomiting:

Claims to reverse multiple sclerosis and Parkinson's disease

Claim to treat blood pressure

Claims germs do not cause disease

Claim to treat anxiety

Claim to treat diabetes

Claim to treat obesity

Claims to improve balance

Use of EMG and Thermal Scanning

Engage in emotional manipulation of parents' feelings of guilt

Claim Polio vaccine caused cancer

Claim Unvaccinated kids are healthier.

Claim vaccines are responsible for microcephaly.

Accuses paediatricians of murder via vaccination

Publish illegal comparative advertising to promote business: chiropractic vs surgery

Claim to treat migraines

Claim to treat osteoporosis

Claim to improve 'sleep energy,' whatever that is

Claim of altered DNA

Claim 'vaccination is rape'

Claim a natural solution to Ebola

Claim to improve 'innate intelligence'

Promote fasting

Claim to treat headaches

Claim to treat 'Constipation or diarrhea' (Sic)

Claim to treat stomach disorders such as reflux and gastritis

Claim to treat menstrual conditions

Claim to treat Pains of pregnancy including morning sickness

Use of Gonstead technique

Use of Sacro Occipital Technique

Use of Applied Kinesiology

Use of Craniopathy

Treatment with 'activators' or 'clickers'

Claim to re-shape babies' heads misshapen at birth

Claim 'breathing makes your head gets bigger'

Claim a tight hat affects your nervous system

Claim to treat children's Learning difficulties

Claim to treat Tinnitus

Claim to treat 'irritable baby syndrome'

Claim to treat Meningitis

Claim to treat pain

Claim to treat conception

Claim to treat fertility

Claim to treat children's development

Claim to treat nutrition

Claim chiropractic can cure cancer

Claim to treat Neurology

Claim to treat 'pH Body Chemistry to balance acidic conditions.'

Claim to treat 'computer meridian mapping and balancing'

Use of 'Zen chi machines, not found on TGA register

Claim to treat Muscle tension

Claim to treat Lethargy

Claim to treat Mental and physical stress and tension

Claim to treat restless legs.

Publish warnings of the dangers of Wi-Fi

Publish claim that herd immunity is "junk science":

Publish claim that vaccination a "Holocaust".

Publish claim that The UN has a plan to halt population growth with pandemics and vaccines

Some claims remain to be reported to the regulators

Claim to treat Concussion

Use of Laser therapy

Claim to treat 'brain fog', whatever that is