

**Submission
No 27**

**THE PROMOTION OF FALSE OR MISLEADING HEALTH-
RELATED INFORMATION OR PRACTICES**

Name: Name Suppressed
Date Received: 3/12/2013

Partially Confidential

2 December 2013

Parliament of New South Wales
Committee on the Health care Complaints Commission
Macquarie Street
Sydney NSW 2000

Subject:

Inquiry into the promotion of false or misleading health-related information or practices

Dear Sir or Madam:

Background

I am an Australian citizen who has witnessed the wonderful medical and health advances over the past decades and trust that this record will continue. However, I would like state that although modern medicine has made many advances it is far from having all the answers to myriad health issues today. In fact, my faith in modern medicine was shaken severely back in August 1997 when I was the victim of a spear tackle in a rugby match which resulted in me experiencing more than 40+ frightening symptoms 3 months post the injury.

In my quest for relief, and to find out what was wrong with me, I saw numerous doctors, dentists, orthopaedic surgeons, neurosurgeons, otologists, neurologists, osteopaths, physiotherapists and otolaryngologists. They ordered brain scans (MRIs,CTs), cervical spine scans (x-rays, CTs, MRIs),TMJ MRIs, blood tests, ECGs, EMGs, ultrasounds (liver, spleen, pancreas, kidneys), Doppler carotids. I was told that they all came back clear (apart from some minor disc bulges at C3-4, C4-5 and C5-6) and I was told that there was nothing wrong with me. The responses ranged from "learn to live with it", "you're getting old" (I was 43 at the time), "it's in your mind" to "take these" - [being a referral to anti-depressant and anti-inflammatory drugs].

The conclusions of the medical 'experts' (sic) were that there was nothing wrong with me and suggested these symptoms were in my mind. If I'd listened to 'accepted medical practice' at the time I have no doubt that I would be dead today. Fortunately, I was able to investigate the issues for myself using the internet to locate medical libraries (e.g. PubMed, Cochrane, MedScape etc.), various medical journals, websites by non-medical trained who had experienced similar symptoms to me and reading a vast number of medical and health books.

With the help of these resources, and in particular the non-medical trained people I was able to determine the source of my pain and suffering and proceeded to seek out an appropriate 'alternative' health practitioner. Contrary to what various medical doctors had told me that I should not seek out such a practitioner because they are 'dangerous', this particular partitioner, who was a chiropractor specialising in the upper cervical spine, was able to reverse an occipito-atlantal rotary subluxation which resulted in my symptoms dissipating very quickly. I'd had for these symptoms for over 18 months. It is noteworthy that following the discovery of the issue causing my symptoms I had some of my original images of my c-spine read by a doctor whose words still stay with me today.

Upon placing the very first radiograph on his viewer he said “That looks suspiciously like a rotary subluxation of atlas”. None of the medical specialists I had seen was able to detect the mechanism of my injury and yet many of them warned me off the very practitioner who did detect it and corrected it painlessly and gently. They didn’t have the answers yet a chiropractor did. My experience is not an isolated one, however for all the bad advice given to me by previous medical ‘experts’ I harbour no ill feelings toward the profession.

HCCC Inquiry – Terms of Reference (ToR)

The terms of reference of this inquiry smacks of censorship and an attack on the right of free speech. The HCCC’s role is one of investigating and prosecuting health practitioners which fail to carry out their duties professionally and cause actual harm to their patients. It is not there to crucify poorly resourced parents, citizens and associations disseminating information to people requesting it. The HCCC and any other government department should not be investigating people who offer an opinion and information, even if that opinion or information might be considered incorrect.

ToR (a) - states “accepted medical practice”. What is accepted medical practice exactly? Accepted by whom? Medical practice is always in a state of flux as discoveries are made and previous practices or products are found lacking. Medical science is not an ‘accepted’ practice. Science is never accepted and arguments from authority have no place in science. Such arguments are essentially a bullying tactic employed by those who cannot win the scientific argument. Who or what is going to determine what is false and misleading, a medical expert? I’ve already demonstrated above that medical experts don’t have all of the answers.

ToR (b) – infers investigating people or organisations which publish information which encourages individuals to unsafely refuse health measures, medical treatments or cures. It is every citizen’s right to refuse treatment just as it is every citizen’s right to read and assess medical and health information sourced from wherever for themselves. We don’t currently live in a nanny state and the state government or one of its departments has no right to instruct citizens as to what they can and cannot read. You cannot deny access to people to another view of the medical research. It’s up to individuals to make up their own minds and not be dictated to by medical ‘experts’. Shutting down alternative views to medical treatment is not science, it is bullying and censorship. Not all medical discoveries will come from mainstream medicine despite what the ‘experts’ tell us. For example, medical doctors in Italy (Dr. Sandro Mandolesi and Prof. Guiseppa Marceca) have carried out a pilot study involving an alternative approach to health for people with multiple sclerosis (MS). The pilot study demonstrated positive changes in the disease and now a much larger study with hundreds of MS patients is underway. The therapy of choice showing benefit is not allopathic medicine. There is a further case study showing the benefit of the same alternative approach on 300 patients with Meniere’s disease. The possibilities of this alternative approach to health seem to be endless but if medical ‘experts’ through government instrumentalities are able to censor and denigrate people and organisations offering alternative opinions and information however unpalatable to mainstream medical ‘experts’ then these kinds of discoveries will not be possible.

ToR (c) – this term of reference is particularly worrying in one aspect. It would seem to infer that ‘accepted medical practice’ is a panacea of health and that any individual or organisation that does not get with the program and promote ‘accepted medical practice’ should be hunted down. By all

means investigate any individual and organisation which carries out a health procedure on patients with a detrimental or harmful effect. The government should not investigate and prosecute people or associations which provide information or opinions about such practices just like the government should not investigate and prosecute people who offer information or opinions on 'accepted medical practice' only to have people given that information suffer at the hands of 'accepted' medical doctors. It's not the fault of the person providing the information or opinion it's the fault of the doctor/practitioner and as such the doctor/practitioner should be investigated by the HCCC.

ToR (d,e) – the powers of the HCCC are to investigate health practitioners not organisations or individuals offering an opinion or information. Expanding the HCCC to investigate individuals and organisations which don't comply with 'accepted' medical practice is censorship and an attack on freedom of speech. These ToRs seem a very cynical attack by the HCCC and the government and surely has its roots in the HCCC's attack on the Australian Vaccination Network (AVN). Unable to discredit the AVN scientifically it would appear those in the HCCC with bruised egos think the best way to shut down the AVN is to censor it for not towing the government line. This type of approach is more common place under communism. The AVN provides information and opinion. It's up to individuals to make up their own minds. Some people choose to vaccinate whereas some don't. The science on the safety of and effectiveness of vaccination is not 'settled'. No medical procedure or practice is 100% safe and 100% effective.

If vaccination was completely safe and effective there would be no resistance to it, no AVN and no people like Dafne (http://www.youtube.com/watch?v=YxNVD_IX3us), whose father I have met, who was brain damaged irreversibly by a vaccine or other reported injured kids. By the way, my children have been fully vaccinated.

Why have medical 'experts' not told us that unexpected waning of immunity after pertussis vaccination is well known and is well described in medical literature or that increasing whooping cough is seen in large proportions of the vaccinated population or that the pertussis bacterium pathogen has been 'adapting' and resisting the vaccine? (see references below).

The AVN provides the 'other' side of the story regarding vaccination 'theory'. By attacking organisations like the AVN a source of information providing the other side of the vaccination story to parents would be lost. The government should be encouraging debate on this issue and research to prove safety and efficacy instead of trying to shut down information and opinions. After all free speech and lively debate are the tenets of our society. We parents are not mindless drones. We can investigate health information for ourselves and we sure need to as that information provided by mainstream medicine is all one sided and can involve a conflict of interest.

This inquiry is nothing more than a witch hunt designed to provide powers to a government body to prevent citizens from accessing information which flies in the face of that touted by medical 'experts'. It really makes one wonder who or what is behind this inquiry and what are their motives. This is what really needs to be investigated not parents and citizens providing information and opinions about 'accepted medical practice' which to this day does not have all of the answers.

With respect the NSW Government should not give powers to the HCCC or any other government department or indeed any independent organisation to shut down public debate. Such legislation would amount to an implementation of censorship.

I understand that medical errors and mistakes are in the order of 20,000+ p.a. in Australia. Shouldn't the HCCC be investigating why this is so high and focus on iatrogenic issues rather than attacking well-meaning parents who have received no help or support from the current medical system? This is surely where the NSW Government should be applying its scarce resources.

Thank you for giving me the opportunity to respond.

Yours sincerely,

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<http://www.ncbi.nlm.nih.gov/pubmed/23029513> - **Small mutations in Bordetella pertussis are associated with selective sweeps.** PLoS One 2012;7(9):e46407. doi: 10.1371/journal.pone.0046407. Epub 2012 Sep 28.

An Analysis of the Federal Government's Pertussis Immunisation Policy (Thesis) – Wilyman, Judy, University of Wollongong – School of Health Sciences 2007 –“The paper concludes that pertussis vaccine is not controlling the incidence of pertussis in the Australian community nor was it the most significant factor in reducing mortality and morbidity of pertussis disease. It concludes that due to the lack of accurate knowledge regarding the safety of this vaccine the benefits of the vaccine to the Australian community must be reassessed.”