

**Submission  
No 20**

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

**Name:** Ms Marguerite Lane  
**Date Received:** 23/01/2014

23 January 2014

Sub



Committee on the Health Care Complaints Commission  
Parliament House  
Macquarie St  
Sydney NSW 2000  
Fax: (02) 9230 3309

Re: INQUIRY INTO THE PROMOTION OF FALSE OR MISLEADING HEALTH-RELATED INFORMATION OR PRACTICES

To Whom It May Concern:

This inquiry has recently come to my attention, and I would like to submit my views to the committee.

From the beginning of the Terms of Reference, here are my issues:

Quotation from Terms of Reference	My statement
<p>That the Committee on the Health Care Complaints Commission inquire into and report on possible measures to address the promotion of <b>unscientific</b> health-related information or practices which <b>may be detrimental</b> to individual or public health</p>	<p>Any capitalistic society understands the principle of "Let the Buyer Beware", and every adult has certainly been confronted with enough experiences in life to have this lesson drilled in. Health care is just another capitalistic proposition. We, as members of the public, are adults. We have the ability to test things out, see if they work, and make appropriate responses. Please stop treating us like infants.</p> <p>Secondly, the statement from the Terms of Reference uses the word "unscientific". This is a very elastic word, that can cover a lot of territory and be arbitrarily defined at any time. For example, pharmaceutical medicine could be argued to be unscientific, in that 75% of the drugs in use today are not tested by an unbiased, independent authority before being put on the market. The amount of bias in "scientific" studies that I've reviewed is quite unacceptable, particularly when the studies are funded by parties with vested interests (as most drug-based studies are).</p> <p>Thirdly, is "scientific" speaking only of chemistry? Is physics considered to be scientific? Is quantum physics scientific? If so, what parts? Most of the practices of our medical system are based on chemistry and biology, but totally ignore physics, which actually is the foundation upon which chemistry and biology are based.</p> <p>To include physics in the definition of "scientific" means an acknowledgement that <math>e=mc^2</math>, that is, that matter and energy are</p>

	<p>identical, as Einstein stated. If that is the case, then energy medicine is as scientific as pharmaceutical drug-based medicine. Are you willing to accept that energy medicine (such as homoeopathy or reiki) is scientific? The answer should be an unqualified "yes"!</p> <p>So until you clearly define "scientific" and "unscientific", the premise of your terms of reference is undermined.</p> <p>The phrase "may be detrimental" is also fraught with inuendo. Who decides what is detrimental? For example, it is a well-accepted fact that chemotherapy is poison. Anyone who has ever had a course of chemotherapy has experienced the effects of having large numbers of healthy cells killed. One could argue that chemotherapy is therefore detrimental. Where is the dividing line between "the good outweighs the bad" and "detrimental"?</p>
<p>The publication and/or dissemination of false or misleading health-related information that may cause general community mistrust of, or anxiety toward, accepted medical practice</p>	<p>Every responsible adult should maintain a healthy scepticism against <u>all</u> publicly-disseminated information, regardless of its source. The government should allow us the freedom to make our own decisions about what we wish to believe. This applies to religion. It should apply to all areas of life.</p> <p>To suppress information is to limit freedom of speech.</p> <p>Who decides what is "false or misleading"? You seem to be assuming that our current state of scientific knowledge (particularly in the form of "accepted medical practice") is <u>complete</u>. Today's "false" information could very well be tomorrow's "cure". <u>Only by encouraging dissenting opinions and ideas can true progress be made.</u></p> <p>The other side of the coin also applies. Today's "accepted medical practice" is evolving and could very well be endangering our health. Notice how often drugs are recalled because unacceptable side effects are found. The public is justified in feeling mistrust and anxiety towards many aspects of accepted medical practice. You will not be able to remove "mistrust and anxiety" simply by putting a regulatory agency in place.</p>
<p>The publication and/or dissemination of information that encourages individuals or the public to unsafely <b>refuse</b> preventative health measures, medical treatments, or cures;</p>	<p>It is my solemn right to refuse whatever treatments or "cures" I choose to refuse. If my body is considered to be diseased (or in danger of disease), and I choose to suffer and die, that is none of the government's business!</p> <p>Here's an example that might put things into perspective. If I wish to protect my brain and liver from premature cell death, then the preventative measure is to avoid drinking more than two glasses of alcohol per day. However, the wine industry does not include anything to warn me of the danger. Their advertisements actually encourage me to drink alcoholic beverages and thereby "refuse preventative health measures". I can go into any pub and order more than two drinks in an evening, without the owners or servers even lifting an eyebrow. Therefore, they are encouraging me to "refuse preventative health measures".</p> <p>Secondly, I take issue with the word, "cure". Just because someone's symptoms disappear, even if for a period of years, does not necessarily mean that they are cured. The word "cure" cannot be defined. It is a fact that cancer "cure" rates are based on 5-year survival. However, most cancers return after 6-7 years, so are not included in the statistics. Where's the line that defines "cure"? It's arbitrary.</p>

the promotion of health-related activities and/or provision of treatment that departs from accepted medical practice which may be harmful to individual or public health;	This statement is so broad as to exclude every treatment or activity that is not specifically prescribed by a doctor. That means that if I as a practitioner suggest to a client that they should have a drink of water for their headache (rather than take a panadol or other "accepted medical practice") then I am performing an illegal act. As you can see, this is ridiculous.
the adequacy of the powers of the Health Care Complaints Commission to investigate such organisations or individuals	We do not need another investigating agency to siphon off our tax dollars in the interest of "safeguarding the public".

I urge you to reject this document and all similar documents. I urge you to understand that the public does not need to be "protected" from ideas or practices which do not currently happen to agree with the opinions of the individuals and companies who have the most to gain from suppression of health information.

Sincerely



Marguerite Lane