

Chronic misleading online advertising by chiropractors

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In March 2016, the Chiropractic Board of Australia—the Australian regulator of chiropractors—published a *Statement on advertising* relating to unsubstantiated claims made by many Australian chiropractors:

“Claims suggesting that manual therapy for spinal problems can assist with general wellness and/or benefit a variety of paediatric syndromes and organic conditions are not supported by satisfactory evidence. This includes claims relating to developmental and behavioural disorders, ADHD, autistic spectrum disorders, asthma, infantile colic, bedwetting, ear infections and digestive problems.”¹

The phenomenon of chiropractors making claims that are not supported by evidence is not new, nor is it restricted to Australia. In 2010, Ernst and Gilbey evaluated 200 websites advertising chiropractors based in Australia, Canada, New Zealand, the UK, and the US, and found that 190 of them made unsubstantiated claims regarding one or more of the specific conditions they were looking for.²

In 2015, we systematically evaluated 137 websites for chiropractic clinics based in New Zealand, taken from the first 30 pages of Google search results for “Chiropractor New Zealand”. We looked for claims that chiropractic manipulation can treat or improve ADHD, allergies, bed wetting, colic, or ear infections, as well as for any health testimonials used to promote their services.

These conditions were chosen because we had previously observed chiropractors failing, when challenged via complaints to the Advertising Standards Authority, to provide evidence to substantiate claims that these conditions can be treated with chiropractic. Our own review of the literature

also failed to find satisfactory evidence to substantiate any of these claims.

There is regulation in place to prevent misleading and unsubstantiated claims being made in advertisements. Both the *Fair Trading Act 1986*³ and the Advertising Standards Authority’s *Codes of practice*⁴ have clauses prohibiting misleading and unsubstantiated claims. The New Zealand Chiropractic Board’s *Advertising Policy* also requires that:

“All advertising must... be presented in a manner that is accurate, balanced, and not misleading”⁵

Health testimonials were included in the search, as they can be both very convincing and very misleading. They are prohibited in this context by the *Medicines Act 1981* Section 58(1)(c)(iii),⁶ as noted in the New Zealand Chiropractic Board’s *Advertising Policy*:

“A chiropractor shall not advertise any material which relates to the chiropractor’s qualifications, practices, treatment or the premises where they practice chiropractic if the material...uses testimonials whether from patients or any other person (see section on Medicines Act)”⁵

Interestingly, the Medical Council of New Zealand, whose role as the statutory regulator of medical professionals is equivalent to the New Zealand Chiropractic Board, notes in its recent proposal to amend their statement on advertising that:

“Council is proposing to prohibit the use of testimonials in medical advertising because they can be unreliable and misleading”⁷ [emphasis ours]

Findings

We found that 54% of the websites claim that at least one of the conditions could be

Claim	Quantity	Proportion
ADHD	34	25%
Allergies	48	35%
Asthma	54	39%
Bed Wetting	43	31%
Colic	59	43%
Ear Infections	55	40%
Any condition	74	54%
Testimonials	48	35%
Any condition or testimonials	96	70%
Total	137	100%

treated or improved by chiropractic manipulation, and 35% of the websites contained health testimonials.

At least in their online advertising, the majority of New Zealand chiropractors make therapeutic claims that are not substantiated by the available evidence, and many have ignored the regulations surrounding the use of health testimonials. Of the chiropractor websites we surveyed, fewer than a third of them were free from both testimonials and claims of being able to treat the conditions we checked for.

Although, technically, chiropractors are regulated in New Zealand under the Health Practitioners Competence Assurance Act, our findings indicate that the regulations to ensure chiropractors in New Zealand behave ethically and legally are inadequate.

Chiropractors making unsubstantiated claims when advertising their treatments is an established problem. There are regulations in place that should address this issue, but these regulations appear to have not been effective. In our opinion, the Chiropractic Board's hands-off regulation leaves New Zealanders wide open to potentially harmful misinformation.

In the interests of public safety, the New Zealand Chiropractic Board needs to follow the example set recently by the Chiropractic Board of Australia. The board should make a public statement giving clear direction to chiropractors to remove testimonials in their advertising, as well as claims to help any health condition where rigorous evidence of the efficacy of chiropractic treatment is lacking. The board should then follow through with sanctions, up to and including deregistration, for chiropractors who ignore the board's direction.

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