Confidential

DRAFT RECOMMENDATION

SUBJECT TO CONFIRMATION

Homeopathy: Medicine for the 21st Century
Poppyseed Cottage
High Street
Stoke Ferry
Norfolk
PE33 9SF

Case number: A10-139800/JN

Media: Magazine
Sector: Health and beauty
Agency:

Number of complaints : 6

Ad
A magazine ad for a pro-homeopathy organisation was headlined "Homeopathy cares" and contained thirteen claims under the sub-headlines "Homeopathy has a history of success in chronic illness", "Homeopathy offers a caring alternative" and "Opposition to homeopathy is based on propaganda".

Issue
Six complainants challenged whether the following claims could be substantiated:

1. "Homeopathy has a history of success in chronic illness",

2. "At Bristol Homeopathic Hospital 70.7% of 6,500 patients with chronic conditions benefited from homeopathic treatment and had reduced need for conventional medicine",

3. "...more randomised controlled trials are positive than negative" and

4. "In Cuba, an integrated approach to healthcare has led to homeopathy being used to enable 2.3 million, including the elderly, to be cheaply and effectively protected against endemic Leptospirosis".

The complainants challenged whether the following claims were misleading:

5. "About 6 million people in the UK choose Homeopathy",

6. "of the 2,500 most commonly used treatments in the NHS, 51% have unknown effectiveness",

7. "Even a small increase in spending on homeopathy could produce dramatic benefits, reducing care needs and increasing patient quality of life",

8. "Sense About Science" is funded by pharmaceutical companies" and

9. "(Trick or Treatment?) has been shown to be scientifically unreliable".

They also challenged whether the following claims were irresponsible or denigratory:

10. "The NHS spends £2 billion annually on treating adverse side effects of conventional drugs. Homeopathy has no side effects",

11. "The leading so-called 'expert' and critic of homeopathy, Professor Edzard Ernst, has admitted that he has no qualifications in homeopathy" and

12. "The recent Science and Technology Committee report on homeopathy was voted for by only three MP's".

Response

1. Homeopathy: Medicine for the 21st Century (H:MC21) stated that there was over 200 years' worth of evidence from reputable sources and that homeopathic treatment had been shown to be efficacious in chronic conditions such as Fibromyalgia, Osteoarthritis, Seasonal Allergies Rhinitis and Sinusitis along with a number of other conditions. They stated that the dominant paradigm in orthodox medicine was known as "evidence-based medicine" (EBM) and that under this paradigm, evidence of efficacy needed to be assessed together with evidence of effectiveness, in order to have any validity. They stated that the only absolute definition of disease was the totality of actual signs, symptoms and aetiology in the individual patient and that the only absolute definition of the action of a medicine was the unique totality of its effects on human beings. They provided information on the basis of homeopathic theory of treating like with like and said that if a stimulus produced effects which mimicked existing signs and symptoms, the reaction would be one that countered the stimulus of existing conditions. They believed that the hypothesis of similarity was theoretically and demonstrably valid and was the basis of homeopathy. They provided information on the discovery and development of homeopathy over the last two hundred years and stated that across the multiple studies on the treatments of homeopathy, positive results were reported. They provided details of where research material was available throught the Society of Homeopaths and the Faculty of Homeopathy and stated that the clinical outcome of studies confirmed that homeopathic treatment was effective in chronic disease. They stated that evidence of such research had been submitted to the Commons Science and Technology Committee.

2. H:MC21 stated that the study carried out at a Bristol Homeopathic Hospital demonstrated that 6,544 participants reported a decreased reliance on prescribed pharmaceutical medication and associated side effects during a trial in which they were given homeopathic medicines. They stated that other similar studies had been carried out and reported similar results. They supplied a copy of the Bristol trial which they believed substantiated the claim in the ad They also supplied evidence of various other trials that had taken place on homeopathic medicines which they believed provided further substantiation for the claim that one of the benefits of homeopathic treatment was a reduction in conventional medication.

3. H:MC21 stated that the claim that more randomised controlled studies were positive than negative was based on the evidence that had been supplied to the Commons Science and Technology Committee by the British Homeopathic Association and the Faculty of Homeopathy and supplied the details of that evidence and assessment. They stated that the evidence had been assessed by various organisations that represented doctors trained in both orthodox and homeopathic treatments. They believed that this randomised controlled trials (RCT's) were therefore unreliable as a source of evidence.

4. They stated the claim about the use of homeopathy in Cuba made clear that an integrated approach with conventional strategies had been used in a healthcare approach to the protection against Leptospirosis and said the claim did not suggest there was evidence for the effectiveness of homeopathy alone. They stated that the 2.3m figure referred to in the ad was based on the number of individuals within high risks areas who were affected by natural disasters and who had been given an oral formulation to protect against the disease. They stated that the integrated approach resulted in a significant decrease in the disease reported in the high risk areas. They provided a copy of the paper that examined the events in Cuba along with details of its costs.

5. They stated that the claim "About 6 million people in the UK chose Homeopathy" was based on unchallenged evidence given to the House of Commons Science and Technology Committee and was based on an independent assessment of the UK population. They said the MHRA had informed the Committee that 10 per cent of the population used these products and that this was equivalent to 6 million people.

6. H:MC21 stated that the quoted figures were from the British Medical Journal (BMJ) and provided a pages from the British Medical Journal Clinical Evidence website which stated that the percentage of treatments with unknown effectiveness varied over time but that in 2008 the figure was 48% and that in 2010 it was up to 51%.

7. H:MC21 stated that evidence demonstrated that it was reasonable to conclude that a small increase in spending could "produce dramatic benefits, reducing care needs and increasing patient quality of life". They provided details of the evidence supplied to the Commons Science and Technology Committee which showed that at the present time only 0.001% of the current £11 billion NHS drugs budget and 0.004% of the NHS total budget (for three years) was spent on homeopathy but that if this were to be increased by just 1%, 27 times more patients with chronic illnesses could be expected to benefit and have both reduced need for conventional medicine and a better quality of life. They additionally stated that if NHS spending on homeopathy increased, treatments for chronic conditions would be started earlier and savings on conventional medicines would be even greater. They stated that this would result in cumulative savings because the effects of homeopathic treatment could last up to eight years. They added that because homeopathic medicine had no side effects, further savings in NHS care would be made.

8. H:MC21 stated that Sense About Science had received an average of about 34% of its income from the pharmaceutical industry over the last six years and that they had taken a leading role in attacking homeopathy. They argued that the charity therefore received funding from an industry that had a vested interest in criticising homeopathy. They supplied financial statements for the last few years for the charity.

9. H:MC21 believed Trick or Treatment failed to explain the differences between orthodox medicine and homeopathy and failed to provide a definition of 'disease' or make clear that orthodox medicine and homeopathic medicine disagreed over the definition. They additionally stated that the four definitions of alternative medicine that were contained within Trick or Treatment were incompatible with each other but were also subjective and incompatible with the facts. They stated that they had previously critiqued the publication in full without challenge or rebuttal.

10. H:MC21 stated that it was generally accepted that homeopathy had no side effects and that it was therefore not irresponsible to make this statement. They also stated that the financial impact for the NHS of treating the side effects of conventional medicine was a matter for public concern and therefore it could not be considered irresponsible to make reference to the savings made through homeopathy. They stated that the quoted figure had come from the think tank Compass and it was therefore reasonable to conclude that the evidence was valid. They provided an online newspaper article which stated that the NHS was spending nearly £2bn a year treating patients who had had experienced an adverse reaction to drugs prescribed to them by their doctors. They stated that the comparison between the side effects of conventional medicine and the lack of side effects from homeopathic treatment was also recognised as an important and fair issue for discussion.

11. H:MC21 stated that during an interview with a German homeopathic publication, Professor Edzard Ernst had stated that he did not have a qualification in Homeopathy and that they therefore believed he was unable to objectively assess any evidence for the medicine. They provided a translated copy of this article. They also stated that in other articles written by Professor Ernst, he referred to himself as a trained homeopath. They believed his assessment of his own abilities was not objective and that in addition to this, they did not believe that he exhibited a sound understanding of the principles, practice and history of homeopathy and that the onus was on him to prove that he truly met the standards recognised by a formal qualification. They stated that it was not irresponsible or denigratory to inform the public of the discrepancy between his claims to authority and his actual qualifications.

12. H:MC21 stated that very few MP's voted for the report on homeopathy and that the claim in the ad succinctly drew the appropriate attention to the question of the reliability and impartiality of the Committee's report. They also supplied the formal minutes of a document which examined the Science and Technology Committee report and stated that these minutes concluded that it was not irresponsible for the

public to be made aware that only three out of 14 MP's actually voted for it. They also stated that one of those MP's had not attended any of the hearings and had also been a member of the Parliamentary All Party Pharmacy Group.

Assessment

The ASA acknowledged that H:MC21 believed the dominant empirical paradigm in conventional medicine was limited, and that it was an inappropriate model for assessing the efficacy of homeopathy. It noted that H:MC21 believed, nevertheless, that the clinical evidence that was available supported their claims. It also noted the House of Commons Science and Technology Committee had concluded in its report "Evidence Check 2: Homeopathy" that there was a lack of evidence supporting the efficacy of homeopathy, although surveys of patients showed homeopathy made some people feel better.

1. Upheld

The ASA noted there was a large amount of data and numerous case studies on homeopathic treatments that dated back hundreds of years and understood that there was significant support for the use of homeopathy in the treatment of chronic illnesses. We noted H:MC21's belief that there was significant evidence to support the basic science upon which homeopathy was based and to support more specific claims for successful treatment of chronic disease and illness. We noted, however, that no scientific rationale existed for assuming that remedies lacking in pharmacological active molecules could produce clinical effects and understood that evidence to prove that it did had yet to be provided. We noted many of the studies which reported positive outcomes were based on patient self-assessment but did not examine the scientific rationale for any reported changes in the physiological or psychological health of those patients. We concluded that H:MC21 had not supplied sufficient evidence to substantiate the claim and noted, furthermore, that the conclusion of the Commons report, a comprehensive review of evidence for the efficacy of homeopathy, was that there was a lack of evidence to support its efficacy. We concluded that the ad was misleading.

On this point the ad breached CAP Code (Edition 12) rules 3.1 (Misleading advertising), 3.7 (Substantiation) and 12.1 (Medicines, medical devices, health-related products and beauty products).

2. Upheld

We considered that most readers would interpret the claim "At Bristol Homeopathic Hospital 70.7% of 6,500 patients with chronic conditions benefited from homeopathic treatment and had reduced need for conventional medicine" to mean that the study demonstrated over 70% of the patients tested experienced a reduction in the symptoms of their chronic illness following the introduction of homeopathic treatment. We noted the study contained patients' self-assessments of their health following GP referral to a homeopathic hospital. However, we considered that because there was no objective clinical assessment of their condition following the introduction of homeopathic treatment, the evidence was not capable of substantiating the claim. We noted the report, and independent assessments of that

report stated that almost half of the patients included in the study reported a reduced reliance on conventional medicine. However, we considered that this could not be extrapolated to substantiate the claim that homeopathic treatment had itself reduced the symptoms associated with the patient's condition. We therefore concluded the ad was misleading.

On this point the ad breached CAP Code (Edition 12) rules 3.1 (Misleading advertising), 3.7 (Substantiation) and 12.1 (Medicines, medical devices, health-related products and beauty products).

3. Upheld

We noted H:MC21 had intended this claim to demonstrate that RCT's were unreliable as a source of evidence. However, we considered that the statement was likely to be interpreted by the average reader as a claim that randomised controlled trials on homeopathy demonstrated that the science behind the medicine was substantiated because more "positive" than "negative results were achieved . We also noted the ad did not state the exact meaning of "positive" and "negative" and considered that without clarification, the average reader was likely to find the claim ambiguous. We noted the assessments of the Faculty of Medicine to the Commons Science and Technology Committee evidence stated that 44% of findings reported positive results, 7% reported negative results and that 49% reported "inconclusive" results. We considered that within the context of the claim "…more randomised trials are positive than negative", the 49% of inconclusive results was a significant piece of information and should have been included in the ad because it indicated that under those conditions, homeopathy was more likely to yield "positive" results, when 56% of the findings did not agree . Because this information was omitted, we concluded that the ad was misleading.

On this point the ad breached CAP Code (Edition 12) rules 3.1 (Misleading advertising), 3.7 (Substantiation) and 12.1 (Medicines, medical devices, health-related products and beauty products).

4. Upheld

We considered that most consumers would interpret the claim "In Cuba, an integrated approach to healthcare has led to homeopathy being used to enable 2.3 million, including the elderly, to be cheaply and effectively protected against endemic Leptospirosis", to mean that homeopathy had been used to protect against the disease as a result of an integrated approach to a health crisis. We noted a homeopathic medicine had been used as part of the treatment of Leptospirosis in Cuba and that during the same year and years that followed, it had been reported that incidences of the disease had decreased significantly. We considered that in order to consider the role of the homeopathy in the treatment of a disease, clinical evidence would need to demonstrate how that remedy acted upon the disease within the body, before then demonstrating how that remedy could be used in the field. We noted evidence had not been supplied to demonstrate that the homeopathic medicine referred to in the report had been shown to be efficacious against Leptospirosis under clinical conditions. We also noted the report on the

implementation of the epidemic control application did not show that any reduction in the disease was directly or in part attributed to the homeopathic treatment. Moreover, we considered that it had not been demonstrated that the reduction in reports of Leptospirosis were not due to an increase in education about the disease or any other external factors. We therefore concluded that the claim was misleading.

On this point the ad breached CAP Code (Edition 12) rules 3.1 (Misleading advertising), 3.7 (Substantiation) and 12.1 (Medicines, medical devices, health-related products and beauty products).

5. Not upheld.
We noted the Medicines and Healthcare products Regulatory xxxx (MHRA) had informed the Commons Science and Technology Committee that over 10 per cent of the nation chose homeopathic treatments. We considered that this was sufficient to substantiate the claim that six million people in the UK used homeopathy and concluded that the ad was not misleading on this point.

On this point we investigated the ad under CAP Code (Edition 12) rules 3.1 (Misleading advertising), 3.7 (Substantiation) but did not find it in breach.

6. Upheld
We noted the ad claimed “Homeopathy has a growing evidence base, but according to the British Medical Journal, of the 2,500 most commonly used treatments, 51% have unknown effectiveness”. Although H:MC21 provided the pages from the BMJ site upon which this claim we based, we noted it had not provided information on the basis of the claim, nor evidence to substantiate the quoted figures and considered the it could discourage some readers from seeking essential treatment for conditions for which medical treatment should be sought. We therefore concluded the claim breached the Code.

On this point the ad breached CAP Code (Edition 12) rules 3.1 (Misleading advertising), 3.7 (Substantiation) and 12.1 (Medicines, medical devices, health-related products and beauty products).

7. Upheld
We noted H:MC21 had not sent sufficiently robust scientific data, including, double blinded clinical trials, to substantiate the claim that homeopathy could effectively treat chronic medical conditions. We also noted the conclusion of the Commons Science and Technology Committee report was that there was a lack of evidence to support the efficacy of homeopathy. We considered therefore that H:MC21 had not substantiated the claim that increased funding in homeopathy would result in increased benefits to the consumer. We concluded that the claim was misleading.

On this point the ad breached CAP Code (Edition 12) rules 3.1 (Misleading advertising), 3.7 (Substantiation) and 12.1 (Medicines, medical devices, health-related products and beauty products).

8. Upheld
The ASA noted the ad claimed “The leading organisation opposing Homeopathy, Sense About Science is funded by pharmaceutical companies and relies on a strategy of propaganda stunts rather than scientific research”. We considered that most readers would interpret this statement within the context of the following claim in the ad which stated “…and relies on a strategy of propaganda stunts rather than scientific research” and would understand the statement to mean that because the charity was partially funded by the pharmaceutical industry, its findings were biased and unreliable We understood that Sense About Science was partially funded by the pharmaceutical industry but considered that, in the context of the ad, H:MC21 had presented their the claim as fact, not opinion, and that the claim that the charity based its findings on propaganda was misleading without substantiation.

On this point the ad breached CAP Code (Edition 12) rules 3.1 (Misleading advertising), 3.7 (Substantiation).

9. Upheld
We noted H:MC21 believed the book was scientifically flawed because they considered that differences between the two fields of medicine had not been appropriately addressed. However, we also noted this was the opinion of H:MC21 and that independent evidence had not been supplied to demonstrate that the publication was scientifically flawed We therefore concluded that the ad was misleading.

On this point the ad breached CAP Code (Edition 12) rules 3.1 (Misleading advertising), 3.6 (Subjective claims) and 3.7 (Substantiation).

10. Upheld
We understood that homeopathy had been shown to have no side-effects, but considered that within the context of the ad, the claim would be interpreted by most readers to mean that homeopathy was a viable alternative to conventional medicine and that it was more desirable because it did not have any side effects. We considered that H:MC21 had not provided evidence to substantiate the implied claim that homeopathy could successfully treat illness and disease. We concluded that the claim was irresponsible because it might discourage consumers from seeking essential treatment for which medical supervision should be sought.

On this point the ad breached CAP Code (Edition 12) rules 1.3 (Social responsibility), 3.1 (Misleading advertising), 3.7 (Substantiation) and 12.1 and 12.2 (Medicines, medical devices, health-related products and beauty products).

11. Upheld
We considered that the claim "The leading so-called 'expert' and critic of homeopathy, Professor Edzard Ernst, has admitted that he has no qualifications in homeopathy” implied that Professor Ernst was not sufficiently qualified to criticize Homeopathy. Although we H:MC21’s comment that Professor Ernst did not have a specific qualification in homeopathy, we considered that it had failed to demonstrate

why he was not sufficiently qualified to comment on the scientific evidence for homeopathy. Because the ad discredited Professor Ernst's scientific knowledge and expertise, we concluded the claim was denigratory.

On this point the ad breached CAP Code (Edition 12) 3.42 (Denigration).

12. Upheld
We noted the claim did not provide information on the recommendation of the report by the Science and Technology Committee. However, we considered that the ad implied that because only three MP's had "voted for" it, the report was biased against homeopathy. We concluded that the claim discredited the report and was therefore denigratory.

On this point the ad breached CAP Code (Edition 12) rules 3.1 (Misleading advertising), 3.7 (Substantiation) and 3.42 (Comparisons).

Action
The ad should not appear again in its current form.