

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 (HMC:21) 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" but that this could not be applied in the same way when establishing whether a homeopathic treatment was efficacious because it did not take into account the individual circumstances of the patient being treated or the effect of that treatment on the symptoms of the condition or illness being treated. They stated that there were multiple case histories which reported successful outcomes and that evidence of such research had been submitted by the Faculty of Homeopathy to the Commons Science and Technology Committee.

2. HMC:21 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 and details of the assessment of a similar trial carried out in Northern Ireland.

3. HMC:21 stated that the claim that more controlled studies were positive than negative was based on the evidence that had been supplied to the Commons Science and Technology Committee by the Faculty of Medicine. They stated that this evidence had been assessed by various bodies including The British Homeopathic Association and the Complementary Medicine Research Group and provided a summary of those assessments.

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 the healthcare approach to the protection against Leptospirosis in Cuba and that it could not provide evidence for the effectiveness for the evidence 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.

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. HMC:21 provided a link to 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. HMC:21 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 stated that at the present time only 1% of the current NHS drugs budget was spent on Homeopathy but if that increased by 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 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. HMC:21 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 had a vested interest in criticising homeopathy. They supplied financial statements for the last few years for the charity.

9. They stated that without scientific definitions of disease and benefit, efficacy for homeopathy could only be approximated in “evidence-based” trials because they were not sufficient to examine the effect on the individual which was the basis of examining the effectiveness of Homeopathic medicine. They said this view was also put forward in Trick or Treatment but that the book failed to distinguish between ‘effectiveness’ and ‘efficacy’ or to indicate that orthodox and homeopathic medicine disagreed over the definitions of “disease” and “effective”, which they believed to be imperative when assessing the effectiveness of homeopathic medicine.

10. They stated that it was generally accepted that homeopathy had no side effects. They also stated that the financial impact for the NHS treating the side effects of conventional medicine was a matter for public concern. 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.

11. HMC:21 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. In addition to this, they did not believe that he exhibited a sound understanding of the principles, practice and history of homeopathy. 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. HMC:21 stated that very few MP's voted for the report on homeopathy and that the claim succinctly drew the appropriate attention to the question of the reliability and impartiality of the Committee's report.

Assessment

1. Upheld

The ASA noted there was a large amount of data and case studies on homeopathic treatments that dated back hundreds of years and understood that there was significant support for the use of homeopathic medicine in the treatment of chronic illnesses. We noted HMC:21's belief that the efficacy of homeopathic treatments could not be tested and assessed in the same way as conventional medicine and that the success of homeopathy had to be considered within the context of the individual patients and his or her recovery. However, we considered that in order to make implied claims that homeopathic medicine could be effective in the treatment of illness or disease; this would have to be measured clinically in order to accurately measure its efficacy. We noted HMC:21 had not supplied sufficient evidence to substantiate the claim and 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. To measure that reduction, we considered that the study would therefore need to include an objective clinical assessment of that chronic condition. Although we noted the study contained patients' self-assessments of their health following GP referral to a homeopathic hospital, because there was no objective clinical assessment of their previously diagnosed chronic condition, we considered the study did not substantiate the claim. We therefore concluded the ad was misleading on this point.

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 the ad did not state the meaning of “positive” and “negative” within the context of the controlled randomised trials and considered that without clarification, the claim was 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 that 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 that same year it had been reported that incidences of the disease had decreased significantly. However, we also noted evidence had not been supplied to demonstrate that any reduction in the disease was directly 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 that the MHRA had informed the Commons Science and Technology Committee that over 10 per cent of the nation chose homeopathic medicines. 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”. We noted HMC:21 had not provided evidence to substantiate this claim and considered that 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 HMC:21 had not sent robust scientific data, including controlled clinical trials, to substantiate the claim that homeopathy could effectively treat chronic medical conditions and therefore considered that they had not provided sufficient evidence to substantiate 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 therefore considered that most readers would interpret this statement to mean that Sense About Science was wholly funded by the pharmaceutical industry. Because that was not the case, and Sense About Science was only partly funded by the pharmaceutical companies, we concluded the claim was misleading.

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

9. Upheld

We understood HMC:21 believed the book was scientifically flawed because they considered that differences between the two fields of medicine had not been appropriately addressed. However, we noted the publication had not been independently shown to be scientifically flawed and considered the ad failed to make clear that the claim “Trick or Treatment has been shown to be scientifically unreliable” was the opinion of HMC:21. Because of that, we concluded the claim breached the Code.

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 consumers 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 concluded 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. Because we understood Professor Ernst was had an MD, PhD and was Professor of Complementary Medicine at Exeter University, we considered that he was likely to be qualified to comment on homeopathy. Because the ad implied he was not sufficiently qualified to, 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, one of whom had "strong links to Sense About Science", the report was in some way flawed, or that it 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.