

COMPLAINT NUMBER	20/098
COMPLAINANT	Society for Science Based Healthcare
ADVERTISER	Meredith McCarthy Hypnotherapy
ADVERTISEMENT	Meredith McCarthy Hypnotherapy Website
DATE OF MEETING	21 April 2020
OUTCOME	Settled

Advertisement: The website advertisement for Meredith McCarthy Hypnotherapy <https://www.meredithmccarthy.com/hypnotherapy>, included statements about the application of hypnotherapy and its use with medical treatments. The website listed conditions that can be treated under the headings: Behavioural Changes; Sport; Fears and Phobias; Habits and Health and Medical. Under the Health and Medical heading, the website listed asthma and burns.

The Chair ruled the complaint was Settled.

Complaint: McCarthy offers hypnotherapy which she claims, "It has been used for many years with medical treatments, and can be used to make many different kinds of changes." Some examples are listed below." She then lists conditions she claims are improved through hypnotherapy:

"Health and medical

relaxation, childbirth, healing, dentistry, chronic pain management, hemophilia, burns, emergencies, stress, asthma, psoriasis, phantom limb pain, etc."

Asthma and burns are medical conditions.

It seems unlikely she would be able to provide evidence it works for burns and asthma.

This is I believe a breach of the ASAs Therapeutic Codes principle 2 and rule 2(a) that advertisements are truthful and claims shall be able to be substantiated.

She has not backed up her claims with any reliable and credible evidence.

The relevant provisions were Therapeutic and Health Advertising Code - Principle 2, Rule 2(a)

Principle 2: Truthful Presentation: Advertisements shall be truthful, balanced and not misleading. Advertisements shall not mislead or be likely to mislead, deceive or confuse consumers, abuse their trust, exploit their lack of knowledge or without justifiable reason, play on fear. This includes by implication, omission, ambiguity, exaggerated or unrealistic claim or hyperbole.

Rule 2 (a) Truthful presentation: Advertisements shall be accurate. Statements and claims shall be valid and shall be able to be substantiated. Substantiation should exist prior to a claim being made. For medicines and medical devices, therapeutic claims must be consistent with the approved indication(s) (for medicines) or the listed intended purpose (for medical devices).

The Chair noted the Complainant's concerns the website advertisement was making unsubstantiated therapeutic claims.

The Chair noted the Advertiser had amended the website content after receiving this complaint, to support compliance with the Therapeutic and Health Advertising Code.

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken in amending the advertisement, the Chair said that it would serve no further purpose to place the matter before the Complaints Board.

The Chair ruled that the matter was Settled.

Chair's Ruling: Complaint **Settled**

APPEAL INFORMATION

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website www.asa.co.nz. Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.