To Whom It May Concern,

I wish to reply to the recent guidelines as they are currently being presented to the profession by the National Chiropractic Board.

I believe that the restrictions that these laws and guidelines will impose on the profession is akin to a restriction of freedom that prevents me from actually practicing chiropractic as I have in the last thirty years.

I question the process that has created these guidelines and also question the method by which the chiropractors on the Board have attained their roles on the Board. There is a lack of transparency and consultation during the creation of these guidelines.

I have personally experienced the manner that the Chiropractic Boards interpret and impose these guidelines with the heavy handedness of an inquisition. The Board acts with the Crown Solicitors to manufacture without evidence their own interpretation of events. I have read legal precedents against Boards because they were incapable of interpreting the Acts that defined the means by which they were to perform. I am specifically referring to Act 20 as it applies to the ability to act without evidence. If Boards cannot interpret their own Acts legally, they exhibit a desire to use a back door method to introduce excessive restrictions. They expect the chiropractic profession to believe they can be trusted to create these guidelines to inhibit the practice of chiropractic. I believe the Board is attempting to impose systematic terrorism on the profession itself. These new guidelines, I believe is an act of perfidy that will make the practice of current chiropractic practice an actual criminal act.

I have experienced the manner that the Chiropractic Boards treat the profession and find there is little benefit in making submissions to the Boards without legal intervention. I therefore intend to seek legal means to stop the Board from introducing a number of guidelines that interfere with the profession providing its services to the public. I also intend to ask a number of government departments to intervene and determine the legality of introducing a number of guidelines, such as the trade practices commission.

I believe that the United Nations and the antidiscrimination act in Australia may need to investigate possible acts of discrimination by the Board against a group of individuals whose freedoms are being curtailed when attempting to act in according to their desire to be self determined.

I understand that the Chiropractic Association of Australia is making submissions to the Board and I do not feel it necessary to repeat the detail of that submission, but I feel strongly that the process that has created the guidelines is faulty and it therefore is not possible to accept the tree when the roots from which the tree comes are compromised.

The other Boards did not feel it necessary to act with such heavy handedness , why does the Chiropractic Board believe it has to? Who is it trying to seek approval from? Is there a hidden hand at work here or is this new work the product of one or two individuals imposing their will on the remainder?

I do not wish to negotiate out of fear, and I do wish to negotiate. I understand when I am given the responsibility to practice chiropractic, I need to have the power and freedom to be self determined. I can only relate to the public when I can freely communicate that service to the public comes from my specialized knowledge and experience without only applying evidence based science as all other professions are permitted to do. If it is good enough for them , it is good enough for us.

I do not wish to be belligerent and I will not hesitate to involve a very costly and lengthy legal process to stop this Board. This Board does not have the confidence of the profession and I propose a vote of no confidence. As in the case of many movements a majority of the profession may not involve themselves but this does not in any way absolve the Board, nor does it imply acceptance by the profession at large. In light of the limited time to investigate and debate these laws/guidelines I intend to petition for the writ of Habeus Corpus against the Chiropractic Board.

Dr John Cappola

Chiropractor