Thank you for the opportunity to present my thoughts on the Historical Role that Chiropractic Legislation has played in Shaping Chiropractic Education in Australia.

Legislation is enacted in the Australian parliaments on one premise only and that is in the public’s interest. Parliaments need to recognise that there is a requirement for legislation and to assure the community of the standard of service recognised by the government. The movement of the chiropractic profession towards registration and recognition has been activated by the practitioners and their thousands of patients and supporters who over many years have experienced the value of the professional practice. Members of the public in a democratic society, providing it is safe and in their interest to do so, are entitled to choose their own professional treatment.

In Australia, graduates from chiropractic and osteopathic colleges established formal professional associations to foster undergraduate training promote continuing education and support the recognition of the professions by statute.

In order to establish legislative recognition in each jurisdiction of a non recognised profession such as chiropractic was throughout Australia, it was preferred to have a united professional body in support for the development of a recognised standard of the education. Without the legislation for practitioner registration it became more difficult for the profession and the education of students to move forward.

Throughout 1964 to 1985, during the legislative registration period of chiropractors there were differing policies on chiropractic education standards between the two major chiropractic associations, the United Chiropractors Association of Australasia Ltd (UCAA) and the Australian Chiropractors Association (ACA). This limited the rate of progress into the tertiary education system and divided the profession.

INQUIRIES

Prior to legislation in each jurisdiction there were 3 State inquiries and one federal inquiry:

1. Western Australia Parliament Select Committee/Royal Commission 1959-1961,
2. NSW Teece 1974,
3. Victoria Ward 1975 and

The inquiries in Australia had escalated due to the number of calls from members of the public and the profession for a system of registration. Without registration and therefore recognition of a profession it was difficult to break into the education and treatment systems. Also, within those disciplines that were already in an accepted position there were some who adopted a stance of doing their best to keep others out. So it became the role of the chiropractic and osteopathic educational institutions, along with the members of the professions to promote the education of students in the drive to produce graduates of quality for
undergraduate training at a level acceptable at the time. It would need to be satisfactory to meet the astute probing of those on Inquiry Committees.

It was necessary for all those involved within the profession to justify the quality of undergraduate education, levels of accreditation, practice performance, behaviour, and the numbers and the levels of satisfaction of those that sought the attention from such practitioners. It also meant survival to the practitioners.

The role of Inquiry Committees, subject to their terms of reference, included ascertaining the number of practitioners, investigating the quality and safety of methods practised and assessing the level of education available within the community. The inquiries were open to any person or organisation to provide submissions for consideration.

These Inquiries showed acceptance of chiropractic by the public and led to governments establishing chiropractors’ registration acts in their respective states and territories.

The WA Inquiry: although directed in the Terms of Reference, the inquiry apparently failed to appropriately investigate educational institutions within the Commonwealth of Australia. The Royal Commission did not recommend a course of education for chiropractors that was conducted within Australia for the registration of practitioners.

The Western Australian Chiropractors Act was enacted in November 1964. This was the first legislation for the registration of chiropractors in Australia. The Act however did not restrict the practise of chiropractic to others not calling themselves chiropractors. It allowed for the practise of spinal manipulation to be performed providing the practitioners did not call themselves chiropractors. This therefore became known as a Titular Act.

The NSW Teece Inquiry

The NSW Premier, Sir Robert Askin stated that the establishment of an Inquiry had been made following strong representations made to the government for a system of formal registration of chiropractors.

The Teece Majority Inquiry Report was the only inquiry that recommended an existing private college course as a minimum standard of education acceptable for possible registration within its jurisdiction. Membership of the committee encompassed the three main components for an enquiry into an emerging health profession; Law, Medicine and Education.

The Teece Majority Report stayed within its terms of reference and made certain recommendations:

a. A definition for the practice of chiropractic;
b. Recommended those who should be registered as chiropractors;
c. Laid down a standard of practice
d. limited the practise of chiropractic to those persons who were registered under the Act.
e. and exempted from the Act those persons registered as physiotherapists or medical practitioners.
f. It also provided a grandfather clause (sunset clause)
g. The standard for registration was recommended as at least equivalent to the four year course conducted at the Sydney College of Chiropractic, Ashfield.
Legislation to register chiropractors and osteopaths under a Chiropractors Act was enacted under a Labor Government in the NSW Parliament and gazetted in December 1978.

The Victoria Ward Inquiry

In 1973, the Victoria Minister of Health, John Rossiter explained the need for a Bill to establish a joint Select Committee of the Parliament to inquire into and make such recommendations concerning the practice of osteopathy, chiropractic and naturopathy in Victoria. The Inquiry Committee reported that allegations of harm caused by chiropractic treatment, upon investigation, “disappeared like the Angels of Mons”. The Victoria Ward Inquiry recommended the limitation of practice to muscular-skeletal, no treatment to children under the age of 12 (unless referred by a medical practitioner) and no grandfather clause. No existing education course was recommended.

The Victoria Government legislated provision for the registration of Chiropractors and Osteopaths was enacted in 1978. The Act was cited as the Chiropractors and Osteopaths Act.

The Commonwealth Inquiry (Webb) was established shortly following a motion carried at the Annual General Meeting of the Australian Labor Party 1973, calling for an inquiry into Chiropractic, Osteopathy, Homoeopathy and Naturopathy. This Inquiry showed acceptance within the community for chiropractors and osteopaths, that they should be registered and recommended more intense and continuous research into chiropractic.

The terms of reference laid down by the Minister were:

To conduct a scientific evaluation of chiropractic, osteopathy, and naturopathy by examining available evidence and obtaining new evidence as necessary.

The Committee interviewed Australian professional associations, visited and investigated many natural therapy educational institutions including several chiropractic and osteopathic colleges and made certain recommendations for chiropractic and osteopathic education.

Under ‘Education of Practitioners’ the Webb Committee recommended:

Any basic course of training in Australia for manipulative therapy should be at tertiary level and should meet standards determined by the registration boards.

Chiropractors with qualifications from the major overseas institutions, particularly North America, and the two better institutions in Australia (the Sydney College of Chiropractic and the Chiropractic College of Australasia) will probably be found acceptable for initial unconditional registration.

The Report further recommended that courses should occupy at least four years full-time study... with a substantial clinical component in the establishment of courses for manipulative therapy. After his appointment as Chairman of the Commonwealth Inquiry, Professor Webb was a Vice-Chancellor of MU for approximately ten years.

The report was presented by command 31 May, 1977. Legislation for the registration of chiropractors and osteopaths in the Australian Capital Territory was enacted in 1983 and the Northern Territory in 1985.
The Webb Committee had recommended in its report: that the Australian Government make available an annual sum of $200,000 for the support of research projects related to the maintenance of health or treatment of disease by chiropractic manipulation or other therapeutic procedures offered by non-medical practitioners. It also recommended: that the National Health and Medical Research Council and other research-funding bodies be asked to give special attention to support research projects in the field of low back pain and other musculoskeletal disorders.

It is obvious the Webb Committee considered the research of chiropractic would be ongoing over many years with its recommendation of $200,000 per annum.

The Medicine Advisory Committee of the NHMRC accepted the Webb Inquiry Report in relation to the need for research into chiropractic and at its meeting on 11 and 12 September 1980 decided to support the essential need for such studies. It is noted that these recommended research allocations have not generally been provided.

The Chiropractic in New Zealand Commission Report, 1979 on Chiropractic Research concurred with the Webb recommendations on research.

The Commission stated: fundamental research that is needed is essentially long term. One needs to think of years, not months. Results will not necessarily come quickly.

The Commission also stated under “Chiropractors as Partners, not Medical Auxiliaries”: The Commission has found it established beyond any reasonable degree of doubt that chiropractors have a more thorough training in spinal mechanics and spinal therapy than any other health professional.

Registration Boards

One of the roles of the Registration Boards is to ascertain the highest minimum standard of education of practitioners in the interests of quality and safety for the members of the public. It is not the role of Registration Boards to define maximum standards. Boards simply administer the Acts; the courts can interpret the written words of the Acts.

Registration Boards put into place various Committees to advise the Boards. One committee the NSW Board had established was an Education Committee. The role of this Committee was to assess courses by inspection and other means and report to the Board. The Macq U would be also subject to the same assessment process in order to maintain accreditation of the course conducted at the university.

The establishment of Registration Boards had flowed throughout Australia and the Boards established The Australian Conference of Chiropractors & Osteopaths Registration Boards (ACCORB). The Boards met annually for exchange of registration experiences and to establish a system of uniformity.

There were attempts to establish an external organisation for accreditation purposes for both chiropractors and osteopaths but it developed difficulties that created management problems such as mandatory authority for the larger Boards, in particular NSW and Victoria.

It became necessary to form a committee named: The Joint Education Committee of Participating Chiropractors and Osteopaths Australasian Registration Boards (JEC). The JEC developed guidelines for course appraisal for use by the Boards and plans for the undertaking of appraisals of each of the
Australian chiropractic and osteopathic courses. It established a Register of Assessors in consultation with the chiropractic and osteopathic professional associations, educational institutions and interested groups. Other Boards within Australasia began to join the JEC.

The JEC established dialogue with the United States Federation of Chiropractic Licensing Boards (USFCLB). In 1996 a JEC delegation successfully negotiated for Australian graduates to be licensed to practice in the USA. The full forum of the USFCLB delegates unanimously supported the resolution. As in Australia even though the forum was a meeting of all the delegates to the FCLB, it still required the resolution to be adopted by the individual Boards of each state under their specific Acts.

Tertiary Education Accreditation

The SCC chiropractic course, supported by the UCAA and accredited by the NSW Higher Education Board (HEB), entered the tertiary education system in 1982. The Phillip Institute of Technology (PIT) chiropractic course supported by the ACA and accredited by the Victoria Institute of Colleges (VIC), entered the tertiary education system in 1981.

The SCC in its endeavours to improve the basic science facilities and research became involved in discussions with other colleges of advanced education and universities. It became clear that in order to develop appropriate credible research studies it was necessary to be involved with a university. Professional bodies still have a role to be involved with research, post graduate training and advice to education institutions.

The SCC and the MU entered into negotiation with terms of amalgamation. The approach made to the NSW Chiropractors Registration Board was on the basis of, if the Board would accept a course conducted at MU which included a Masters Degree by course work. The Board received the verbal submissions from representatives of the MU and the SCC.

The Board after considering the proposal in camera decided that such a course would be acceptable. This decision allowed for the agreement between the MU and the SCC to proceed. The MU Representatives had informed the Board that if the Masters Program was not acceptable by the Board, the University would not proceed with the agreement. As the Masters program offered by the MU was by course work, it was not the primary role of the Registration Board to ascertain the position relative to research as it was understood that research would be the responsibility within the university protocols. The Boards function concentrated on the standards of registration requirements.

The amalgamation between the SCC and MU was the first chiropractic program accepted into a public funded university in the world. Under the original terms of agreement it provided for a School of Chiropractic and Osteopathy. Later the terms were altered to a chiropractic course under a Department arrangement.

There are now three other universities in Australia with chiropractic programs. The unification of the organised profession occurred in the same year that the SCC and MU signed their amalgamation agreement. The UCAA and the ACA having resolved the education policy issues in 1990, merged within the Chiropractors Association of Australia, National (CAAN).

Some organised disciplines have instituted post professional requirements for graduates to attain in order to use certain titles in practice. Those titles indicate training and research over and above the required
levels needed for practice. Universities can apply for research grants, provide facilities, and encourage Masters and PhD projects. The professional bodies, the CAAN and Chiropractic and Osteopathic College of Australasia (COCA) financially support and promote research.

In May 1992, the Prime Minister, Premiers and Chief Ministers agreed to establish the Committee on Australian Governments (COAG). It first met in Perth in December 1992. As a general rule, COAG reaches decisions through consensus of all members, but there are occasions when decisions are made by a majority of members. In these situations jurisdictions are not bound to implement the decisions that have been made.

Mutual Recognition Acts followed: Commonwealth and New South Wales in 1992; Trans Tasman in 1997. Western Australia participated from 1995. Shortly following the last of the Mutual Recognition Acts, COAG supported the proposal of National Registration for all registered health professionals. Throughout the relatively short history of the chiropractic profession in Australia, education preceded legislation and in turn legislation influenced standards of education.

Conclusion

Mr Guthrie, Chairman of the Parliament Select Committees and the Chairman of the Western Australia Royal Commission into the Western Australia Natural Therapist Bill 1963, in Hansard, referred to a booklet provided by English Harley St, physical surgeon, James Turner. A statement he quoted was:

“Medical Science had its genesis in the days of the bone setters, but when it became more scientific, the medical profession turned away from the bone setter and the knowledge and skills of the bone setter were lost to medical science.”

Guthrie commented, “They were taken up by the chiropractor.”

The Australian chiropractic profession has been the subject of much scrutiny and investigation by several official Government Inquiries. Those Inquiries generally have acknowledged the values in chiropractic practice.

Chiropractic practice is observed by practitioners involved in the recognised treatment of suffering mankind. There are a significant number that seek chiropractic care. The basic premise of the practise has been questioned by a minority “within the medical church” as stated in the 1975 Victoria Ward Report. They seem to confuse the issues of practical diagnosis and methodology of treatment with some individual philosophies and theories.

There is little doubt chiropractors are well trained in their mode of practice through the university system. The move into universities has been of great service to the profession and those who seek chiropractic care. As in all health professions, and particularly, the chiropractic profession there is a great need for research. This has been emphasised by the Webb Inquiry and the Chiropractic in New Zealand Report. It is up to the chiropractic profession to continue to potently support the movement towards universal acceptance through scientific evaluation, research and validation.

I thank you ladies and gentlemen for your patience in hearing me out. I wish to extend my appreciation to Rosemary Giuriato and the organisers of this conference. I congratulate the new graduates and welcome their participation in the progress of the profession.