

**Financial exploitation by Shiatsu therapist
(02HDC18117, 4 February 2004)**

*Masseur ~ Massage therapy ~ Alternative medicine ~ Financial involvement ~
Diagnosis ~ Communication ~ Rights 2, 4(1), 5(1), 6(1)*

A young woman and her mother attended a massage parlour for a massage and facial. During the massage the woman was told by the masseuse that she might have something wrong with her kidneys, and asked if she could obtain a second opinion from a more experienced masseur. The masseur concluded that there was definitely something wrong with the woman's kidneys and suggested that in five to ten years it could result in cancer. He recommended ten ginger compress treatments at a cost of \$90 each or a reduced rate of \$80 and a free book if they paid that day. He also palpated her lower abdomen and told her that many women have unnecessary surgery, and made a comment about her uterus "ending up in a bucket".

Both the woman and her mother were extremely upset, but the mother persuaded her daughter to seek a specialist opinion before paying for the ginger treatment. The woman believed that the masseuse and masseur used scare tactics to try to persuade her to have the treatment. Her mother also felt that there was an element of coercion.

It was held that although the masseuse stood to benefit from gaining the woman's ongoing business, she genuinely believed that the ginger compress treatments would be beneficial. As the masseuse had sought the advice of a trained Shiatsu practitioner, and did not categorise the woman's symptoms, she was not in breach of Right 4(1) of the Code. Her suspicions were aroused from Oriental philosophy, rather than Western medicine, and her actions in this context were appropriate.

The masseur was likewise found not to be in breach of Right 4(1) of the Code, as he made his diagnosis in accordance with Oriental philosophy and Shiatsu practice. Thus, although the woman was found by a neurologist to have no kidney problems, the two diagnoses were made through very different techniques and are not comparable. However, the masseur was found in breach of Right 2 of the Code in recommending that the woman purchase \$800 worth of treatment of doubtful benefit, and failing to recommend she first consult a medical practitioner. He was found to have placed his financial gain above any therapeutic benefits to the woman. He was also found in breach of Rights 5(1) and 6(1) of the Code in failing to take care not to alarm the woman when he conveyed information about her condition and gave offensive and unprofessional advice that her uterus could end up in a bucket.