

WRITTEN QUESTION E-1404/04

by Benedetto Della Vedova (NI) and Olivier Dupuis (NI)
to the Commission

Subject: Psychiatric and judicial weapon used by the authorities against the Italian citizen Gian Piero Buscaglia

Mr Gian Piero Buscaglia, a clerical secretary in the Italian State Police from 1981 to 2002 in Imperia and then in Alessandria was, from 1997 onwards, ordered by his employers and by the judiciary to undergo 12 psychiatric examinations for no tangible reason. These showed he was of sound mind and fit for work, except for one case where he was judged solely on his actions, having rejected the nth appraisal. After exhausting all orthodox forms of protest against the stigmatisation resulting from this hounding, Mr Buscaglia adopted methods that were emphatic and yet harmless: displaying placards and banners, distributing leaflets and going on strike - sometimes in breach of certain rules and laws, but always in order to make his point and as a non-violent protest. Only the police accused him of violence: alone and unarmed, he was said to have attacked 3 officers on the morning of 13 June 1999 (cleared owing to contradictions in the accusations), and 3 in the afternoon (sentenced to four and a half months though, strangely, the reports indicate that only Buscaglia was injured); on 14 October 1999 he was said to have beaten up another 7 officers, despite having no weapon other than the wheel (!) of the bicycle that one officer banged into, suffering lacerations and contusions. Appeals were filed against both the initial sentences. In 2002, when the twelfth and final examination again showed him to be of completely sound mind and of no danger to society, Buscaglia was sacked (16 September 2002). Demotivated, isolated, discriminated against at the workplace and stripped of his functions, he refused to go into the office when he couldn't work!

Does the Commission believe it should be possible for a European citizen to be subjected to 12 psychiatric examinations for no tangible reason, without having committed a crime or having displayed any signs of psychiatric incapacity? Does it not consider that the basic human and civil rights of that person would be violated as a result of the psychiatric stigma imposed on him? Does it not consider that the aim of the Civil Administration of the Italian Ministry of the Interior was not to contain a danger to society but in fact to strike at an individual owing to his awkward and unorthodox conduct? Does it not think that psychiatrising and criminalising a person in this manner constitutes a targeted attempt to intimidate and condition an employee? Does it not feel that this clear hounding both in form and substance gives reason to suspect that the true motives were quite different than those of Buscaglia's professional conduct and character? Is the Commission aware of other cases within the EU of blameless individuals, unblemished by violent acts and of sound mind - as confirmed by the results of examinations - having suffered similar persecution as the result of a hypothetical and unfounded mental illness?