

Psych tests dished out as punishment

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COMPULSORY psychiatric tests are used by State Government bureaucrats to bully "difficult" employees, a leading workplace lawyer claims.

A former adviser to Queensland's Anti-Discrimination Commission, Susan Moriarty, says a lack of guidelines means the use of enforced assessments is open to abuse.

"It's ruining lives," said Dr Moriarty, now an industrial law consultant who regularly represents public servants.

Every one of her clients who was compelled to undergo a psychiatric assessment had previously made a complaint about working conditions.

"That's why I have formed the view it is being used in a retaliatory manner," Dr Moriarty said. "It's in the Russian tradition of maligning dissidents."



RUSSIAN ROULETTE: Workplace lawyer Susan Moriarty says public servant dissidents' lives are being ruined

She said it was part of a growing culture of fear in the workplace and often it was bullying that had caused the stress that led to people being referred for assessment.

"We've turned our workplaces into the most toxic environments," Dr Moriarty said.

Some people were given just 48 hours' notice that they had to see a psychiatrist and were still in shock when they turned up for the test. The notice did not inform them they had a right to challenge the order.

"In other cases, they have two weeks' notice and have to continue to go to work and try not to look like rats that are gnawing at their guts after sleepless nights worrying about what sort of questions they will be asked," Dr Moriarty said.

"All my clients who have been directed to undergo psychiatric assessment suffer the physical symptoms of extreme stress. In varying degrees, they are afflicted with insomnia, diarrhoea, eating disorders, panic attacks, thoughts of suicide, heart palpitations and anxiety overload. I often remark that if they weren't mentally ill at the time of the directive, they certainly will be by the time the assessment is over."

The Queensland Public Sector Union agrees the assessments are being used more frequently and to punish people.

"The ones who get referred under Section 85 are the people that someone already has it in for," said QPSU official Darren Hooper.

"There are examples where people have lodged a complaint about their boss or co-worker. The employer has responded with a Section 85 referral and held off investigating the original complaint.

"Some departments are quite ruthless in their use of this." Section 85 of the Public Service Act says an employee can be directed to undergo psychiatric assessment in circumstances where an officer reasonably suspects that their absence from work or performance in the workplace is explained by mental illness or mental disability.