



# Statement of Principles concerning acute stress disorder No. 42 of 2014

made under subsection 196B(3) of the

*Veterans' Entitlements Act 1986*

## Compilation No. 1

**Compilation date:** 24 September 2018

**Includes amendments up to:** Veterans' Entitlements (Statements of Principles—Category 1B Stressor) Amendment Determination 2018 (No. 87 of 2018) (F2018L01188)

The day of commencement of this Amendment Determination is 24 September 2018.

Prepared by the Repatriation Medical Authority Secretariat, Brisbane

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## About this compilation

### **This compilation**

This is a compilation of the *Statement of Principles concerning acute stress disorder No. 42 of 2014* that shows the text of the law as amended and in force on 24 September 2018.

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of provisions of the compiled law.

### **Uncommenced amendments**

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register ([www.legislation.gov.au](http://www.legislation.gov.au)). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

### **Application, saving and transitional provisions for provisions and amendments**

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

### **Modifications**

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

### **Self-repealing provisions**

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.



**Australian Government**  
**Repatriation Medical Authority**

Statement of Principles  
concerning  
**ACUTE STRESS DISORDER**  
**No. 42 of 2014**

for the purposes of the  
*Veterans' Entitlements Act 1986*  
and  
*Military Rehabilitation and Compensation Act 2004*

**Title**

1. This Instrument may be cited as Statement of Principles concerning acute stress disorder No. 42 of 2014.

**Determination**

2. The Repatriation Medical Authority under subsection **196B(3)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
  - (a) revokes Instrument No. 34 of 2007 concerning acute stress disorder; and
  - (b) determines in its place this Statement of Principles.

**Kind of injury, disease or death**

3. (a) This Statement of Principles is about **acute stress disorder** and **death from acute stress disorder**.

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*Statement of Principles concerning Acute Stress Disorder*  
*Instrument No. 42 of 2014*  
*Veterans' Entitlements Act 1986*

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(b) For the purposes of this Statement of Principles, "**acute stress disorder**" means a psychiatric disorder which meets the following criteria (derived from DSM-5):

A. The individual is exposed to actual or threatened death, serious injury, or sexual violation in one (or more) of the following ways:

- (i) directly experiencing the traumatic event(s);
- (ii) witnessing, in person, the event(s) as it occurred to others;
- (iii) learning that the event(s) occurred to a close family member or close friend. In cases of actual or threatened death of a family member or friend, the event(s) must have been violent or accidental; or
- (iv) experiencing repeated or extreme exposure to aversive details of the traumatic event(s) (for example, first responders collecting human remains, police officers repeatedly exposed to details of child abuse). This does not apply to exposure through electronic media, television, movies, or pictures, unless this exposure is work related; and

B. The presence of nine (or more) of the following symptoms from any of the five categories of intrusion, negative mood, dissociation, avoidance, and arousal, beginning or worsening after the traumatic event(s) occurred:

**Intrusion Symptoms**

- (i) recurrent, involuntary, and intrusive distressing memories of the traumatic event(s). In children, repetitive play may occur in which themes or aspects of the traumatic event(s) are expressed;
- (ii) recurrent distressing dreams in which the content and/or affect of the dream are related to the event(s). In children, there may be frightening dreams without recognisable content;
- (iii) dissociative reactions (for example, flashbacks) in which the individual feels or acts as if the traumatic event(s) were recurring. (Such reactions may occur on a continuum, with the most extreme expression being a complete loss of awareness of present surroundings.) In children, trauma-specific reenactment may occur in play;
- (iv) intense or prolonged psychological distress or marked physiological reactions in response to internal or external

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cues that symbolise or resemble an aspect of the traumatic event(s).

**Negative Mood**

- (i) persistent inability to experience positive emotions (for example, inability to experience happiness, satisfaction, or loving feelings).

**Dissociative Symptoms**

- (i) an altered sense of the reality of one's surroundings or oneself (for example, seeing oneself from another's perspective, being in a daze, time slowing);
- (ii) inability to remember an important aspect of the traumatic event(s) (typically due to dissociative amnesia and not to other factors such as head injury, alcohol, or drugs).

**Avoidance Symptoms**

- (i) efforts to avoid distressing memories, thoughts, or feelings about or closely associated with the traumatic event(s);
- (ii) efforts to avoid external reminders (people, places, conversations, activities, objects, situations) that arouse distressing memories, thoughts, or feelings about or closely associated with the traumatic event(s).

**Arousal Symptoms**

- (i) sleep disturbance (for example, difficulty falling or staying asleep, restless sleep);
  - (ii) irritable behaviour and angry outbursts (with little or no provocation), typically expressed as verbal or physical aggression toward people or objects;
  - (iii) hypervigilance;
  - (iv) problems with concentration;
  - (v) exaggerated startle response; and
- C. Duration of the disturbance (symptoms in Criterion 2) is three days to one month after trauma exposure. Symptoms typically begin immediately after the trauma, but persistence for at least three days and up to one month is needed to meet disorder criteria; and
- D. The disturbance causes clinically significant distress or impairment in social, occupational, or other important areas of functioning; and

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- E. The disturbance is not attributable to the physiological effects of a substance (for example, medication or alcohol) or another medical condition (for example, mild traumatic brain injury) and is not better explained by brief psychotic disorder.

#### **Basis for determining the factors**

4. On the sound medical-scientific evidence available, the Repatriation Medical Authority is of the view that it is more probable than not that **acute stress disorder** and **death from acute stress disorder** can be related to relevant service rendered by veterans or members of the Forces under the VEA, or members under the *Military Rehabilitation and Compensation Act 2004* (the MRCA).

#### **Factors that must be related to service**

5. Subject to clause 7, at least one of the factors set out in clause 6 must be related to the relevant service rendered by the person.

#### **Factors**

6. The factor that must exist before it can be said that, on the balance of probabilities, **acute stress disorder** or **death from acute stress disorder** is connected with the circumstances of a person's relevant service is:
- (a) experiencing a category 1A stressor within the one month before the clinical onset of acute stress disorder; or
  - (b) experiencing a category 1B stressor within the one month before the clinical onset of acute stress disorder; or
  - (c) experiencing the traumatic death of a significant other within the one month before the clinical onset of acute stress disorder; or
  - (d) having a significant other who experiences a category 1A stressor within the one month before the clinical onset of acute stress disorder; or
  - (e) being exposed to repeated or extreme aversive details of severe traumatic events within the one month before the clinical onset of acute stress disorder; or
  - (f) being the victim of severe childhood abuse within the one month before the clinical onset of acute stress disorder; or
  - (g) inability to obtain appropriate clinical management for acute stress disorder.

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### Factors that apply only to material contribution or aggravation

7. Paragraph 6(g) applies only to material contribution to, or aggravation of, acute stress disorder where the person's acute stress disorder was suffered or contracted before or during (but not arising out of) the person's relevant service.

### Inclusion of Statements of Principles

8. In this Statement of Principles if a relevant factor applies and that factor includes an injury or disease in respect of which there is a Statement of Principles then the factors in that last mentioned Statement of Principles apply in accordance with the terms of that Statement of Principles as in force from time to time.

### Other definitions

9. For the purposes of this Statement of Principles:

**"a category 1A stressor"** means one of the following severe traumatic events:

- (a) experiencing a life-threatening event;
- (b) being subject to a serious physical attack or assault including rape and sexual molestation; or
- (c) being threatened with a weapon, being held captive, being kidnapped, or being tortured;

**"a category 1B stressor"** means one of the following severe traumatic events:

- (a) killing or maiming a person;
- (b) being an eyewitness to a person being killed or critically injured;
- (c) being an eyewitness to atrocities inflicted on another person;
- (d) participating in the clearance of a corpse or a critically injured casualty; or
- (e) viewing a corpse or a critically injured casualty as an eyewitness;

**"a corpse"** means the human remains or body parts of one or more persons who have met a violent or horrific death;

Note: Examples of a violent or horrific death may include death due to suicide, gunshot, improvised explosive devices, natural and technological disasters, terrorist attacks or motor vehicle accidents. Seeing a closed body bag or viewing a body in an open-casket coffin are excluded from this definition.

**"a significant other"** means a person who has a close family bond or a close personal relationship and is important or influential in one's life;

**"an eyewitness"** means a person who experiences an incident first hand and can give direct evidence of it. This excludes persons exposed only to public broadcasting or mass media coverage of the incident;

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**"being exposed to repeated or extreme aversive details of severe traumatic events"** means witnessing a person suffering real, severe, traumatic events (for example, first responders collecting human remains, police officers repeatedly exposed to details of child abuse or drone operators viewing planned strikes) or repeatedly listening to a person's account of their exposure to severe traumatic events. This definition includes media exposure of the traumatic event (for example, electronic media, television images or photographs) where viewing these images is a work requirement;

**"death from acute stress disorder"** in relation to a person includes death from a terminal event or condition that was contributed to by the person's acute stress disorder;

**"DSM-5"** means the American Psychiatric Association: *Diagnostic and Statistical Manual of Mental Disorders*, Fifth Edition. Arlington, VA, American Psychiatric Association, 2013;

**"relevant service"** means:

- (a) eligible war service (other than operational service) under the VEA;
- (b) defence service (other than hazardous service and British nuclear test defence service) under the VEA; or
- (c) peacetime service under the MRCA;

**"severe childhood abuse"** means:

- (a) serious physical, emotional, psychological or sexual harm whilst a child aged under 16 years; or
- (b) neglect involving a serious failure to provide the necessities for health, physical and emotional development, or wellbeing whilst a child aged under 16 years;

where such serious harm or neglect has been perpetrated by a parent, a care provider, an adult who works with or around that child, or any other adult in contact with that child;

**"terminal event"** means the proximate or ultimate cause of death and includes:

- (a) pneumonia;
- (b) respiratory failure;
- (c) cardiac arrest;
- (d) circulatory failure; or
- (e) cessation of brain function;

**"traumatic death"** means death which occurs in sudden, violent or traumatic circumstances such as homicide, suicide or an accidental death.



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**Application**

- 10.** This Instrument applies to all matters to which section 120B of the VEA or section 339 of the MRCA applies.

**Date of effect**

- 11.** This Instrument takes effect from 7 May 2014.

## Endnotes

### Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

### Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

### Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

### Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

**Endnote 2—Abbreviation key**

ad = added or inserted	o = order(s)
am = amended	Ord = Ordinance
amdt = amendment	orig = original
c = clause(s)	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
C[x] = Compilation No. x	pres = present
Ch = Chapter(s)	prev = previous
def = definition(s)	(prev...) = previously
Dict = Dictionary	Pt = Part(s)
disallowed = disallowed by Parliament	r = regulation(s)/rule(s)
Div = Division(s)	
exp = expires/expired or ceases/ceased to have effect	reloc = relocated
F = Federal Register of Legislation	renum = renumbered
gaz = gazette	rep = repealed
LA = <i>Legislation Act 2003</i>	rs = repealed and substituted
LIA = <i>Legislative Instruments Act 2003</i>	s = section(s)/subsection(s)
(md) = misdescribed amendment can be given effect	Sch = Schedule(s)
(md not incorp) = misdescribed amendment cannot be given effect	Sdiv = Subdivision(s)
mod = modified/modification	SLI = Select Legislative Instrument
No. = Number(s)	SR = Statutory Rules
	Sub-Ch = Sub-Chapter(s)
	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

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**Endnote 3—Legislation history**

<b>Name</b>	<b>Registration</b>	<b>Commencement</b>	<b>Application, saving and transitional provisions</b>
<i>Statement of Principles concerning acute stress disorder No. 42 of 2014</i>	30 April 2014 F2014L00470	7 May 2014	
<i>Veterans' Entitlements (Statements of Principles—Category 1B Stressor) Amendment Determination 2018 (No. 87 of 2018)</i>	28 August 2018 F2018L01188	24 September 2018	

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**Endnote 4—Amendment history**

<b>Provision affected</b>	<b>How affected</b>
Clause 9 "a category 1B stressor".....'	rs. No. 87 of 2018
Clause 9 "an eyewitness".....'	rs. No. 87 of 2018
Clause 9 "a corpse"....'	ad. No. 87 of 2018