

**Health Services Union NSW/ACT/QLD**

21 May 2025

Committee Members  
Standing Committee on Law and Justice  
6 Macquarie Street  
Sydney NSW 2000

Dear Committee Members,

**Re: Inquiry into proposed changes to liability and entitlements for psychological injury in New South Wales**

During the hearing on Friday 16 May 2025, I took a question on notice from the Hon. Stephen Lawrence. This response addresses that question.

The question concerned section 8E of the exposure draft, specifically the definition of “relevant event”. As currently drafted, section 8E requires that a person must either directly witness a traumatic event, or experience vicarious trauma resulting from an incident involving someone with whom they have a close work connection.

However, it is well established that psychological injury can also result from exposure to the aftermath of traumatic events, particularly when the exposure is prolonged or repeated. This includes workers who are required to attend to the victims of or clean up after traumatic incidents, involving serious injury or death, whom they do not have a close connection. Workers such as healthcare workers, emergency responders, cleaners, security or maintenance staff.

As the wording currently stands, many of these workers, who deal with tragedy every day, would be excluded.

To address this, I propose the following revision to section 8E(1)(c) of the exposure draft:

(1) In this Act, a relevant event means—

(c) witnessing an incident, **or being exposed to the scene, or the aftermath of such an incident, that lead to** death or serious injury, or the threat of death or serious injury, including the following—

- (i) an act of violence,
- (ii) indictable criminal conduct,
- (iii) a motor accident, a natural disaster, a fire or another accident, or

The broadening of this definition to include exposure to traumatic scenes would ensure these workers are not excluded from the scheme and to address the complex issue of causation.

Yours sincerely,

**Gerard Hayes AM**

Secretary - Health Services Union NSW/ACT/QLD