

**PSYCHOLOGY BOARD OF AUSTRALIA  
and KENNETH HEYWARD**

Mr Kenneth Heyward held general registration as a psychologist with the then Psychologists Registration Board of Victoria (**PRBV**) until his registration lapsed due to non-renewal on 31 December 2008.

On 13 February 2008, the PRBV received a notification about the professional conduct of Mr Heyward.

On 7 September 2009, the PRBV pursuant to section 59(2)(g) of the *Health Professions Registration Act 2005* (Vic) (**HPR Act**), determined to refer the complaint in relation to the professional conduct of Mr Heyward, to the Victorian Civil and Administrative Tribunal (**VCAT**).

On 1 July 2010, the PRBV was abolished by virtue of section 184 of the HPR Act. The Psychology Board of Australia (**PBA**) was established on 1 July 2010 by virtue of section 31 of the *Health Practitioner Regulation National Law (Victoria) Act 2009* (Vic) (**National Law**).

As the notification in regard to Mr Heyward's conduct was received and was being dealt with prior to 1 July 2010, the HPR Act continues to apply. Section 289(2)(b) of the National Law provides for the notification to continue to be dealt with under the Act of the participating jurisdiction under which it was made, and any proceeding or appeal relating to the notification may be dealt with as if that Act (in this case, the HPR Act) had not been repealed.

On 23 November 2010, the matter was referred to VCAT. Prior to the commencement of the VCAT hearing, Mr Heyward admitted that between around April 2005 and around February 2007, he engaged in unprofessional conduct of a serious nature by engaging in an inappropriate personal and social relationship with an individual who had been a client of Mr Heyward's from April 2005 to December 2005. The inappropriate personal and social relationship involved Mr Heyward meeting with the client on a number of social occasions, including meeting to have meals together, and extensive email and telephone communications between Mr Heyward and the client.

Mr Heyward is 73 years of age and the PBA has entered into an Agreement with Mr Heyward's, pursuant to section 59(2)(c) of the HPR Act, on the terms that Mr Heyward will not apply to be registered as a psychologist in Victoria, or in any other jurisdiction, now or any time in the future.