

## Protecting the public by holding practitioners to account

The Supreme Court of Victoria has ordered an injunction prohibiting Mr Simon Mattiske from working as a building surveyor or building inspector until July 2023. Mr Mattiske appeared remotely in court, represented by counsel, and consented to the order yesterday.

The Victorian Building Authority (VBA) brought the Supreme Court proceedings alleging that Mr Mattiske had worked illegally as a building surveyor and building inspector while his registrations to do so were suspended.

Mr Mattiske's registrations as a registered building surveyor and registered building inspector have been suspended since February 2020.

While it is already a criminal offence for Mr Mattiske to work as a building surveyor and inspector while suspended, the injunction adds a powerful deterrent. If Mr Mattiske works as a building surveyor or inspector in breach of the injunction, the VBA can bring contempt of court proceedings.

Given that Mr Mattiske's registration remains suspended until July 2023, the VBA sought the injunction to protect the public from further illegal work, given Mr Mattiske's prior history of breaching the suspension.

The VBA's Chief Executive Officer, Sue Eddy, said that Mr Mattiske's refusal to comply with his previous suspension left the regulator with no other choice but to take the matter to the Supreme Court.

"Public safety is our number one priority – Mr Mattiske has continually shown a complete disregard for the law, his clients and the industry as a whole."

"Mr Mattiske's refusal to comply with the terms of his suspension not only placed undue stress on his clients, but it also brought the wider industry into disrepute."

"Nobody has the right to pick and choose which laws they follow. As the industry regulator, we make no apologies for pursuing him through the courts to keep people safe," Ms Eddy said.

The VBA is currently reviewing the validity of any certificates of final inspection, occupancy permits or building permits issued by Mr Mattiske since 18 February 2020.

Anyone who has had dealings with Mr Mattiske since his registration was suspended in February 2020 should contact the VBA at [customerservice@vba.vic.gov.au](mailto:customerservice@vba.vic.gov.au) to discuss their circumstances.

"The vast majority of practitioners do the right thing but let me be very clear, the small number who don't follow the rules will be held accountable for their actions," Ms Eddy said.

The VBA's investigations into Mr Mattiske's conduct are continuing and may result in further enforcement action.