



Form 59
Rule 29.02(1)

Affidavit

No. 1503 of 204

Federal Court of Australia
District Registry: New South Wales
Division: General

Peter Wertheim AM and another
Applicants

Wissam Haddad and another
Respondents

Affidavit of: **Enver Neziroski**
Address: c/o – 40 Parramatta Road, Forest Lodge
Occupation: Fencer
Date: 8 May 2025

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Filed on behalf of (name & role of party) Wissam Haddad & Al Madina Dawah Centre (First and Second Respondents)
Prepared by (name of person/lawyer) Elias Tabchouri, Solicitor on record
Law firm (if applicable) Macquarie Law Group
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Address for service 40 Parramatta Road, Forest Lodge NSW 2037
(include state and postcode)

I, Enver Neziroski, say on oath:

1. I make this affidavit from my own knowledge. Where I have quoted speech, those are the words I recall to the best of my ability.
2. Generative AI was not used in preparing the content of this affidavit or the content of any annexure to this affidavit.
3. I am 45 years old and was born in Sydney, Australia. I am of Balkan and Turkish background.
4. I work as a fencer and labourer. I have been a fencer for the last 8 years. I am subcontracted by companies and individuals to carry out works around Sydney.
5. I am a practising Sunni Muslim and consider myself to be close to my faith. I became closer to my faith and started practising more as a Muslim in the last five or six years after I attended the Al Madina Dawah Centre.

My experiences at the Centre and with Mr Wissam Haddad

6. I first heard about the Al Madina Dawah Centre in or around early 2020 when I received a WhatsApp group message about its opening at 3 Kitchener Parade, Bankstown NSW. I no longer have a copy of this message. I didn't pay much attention to it at the time.
7. Some time after receiving the WhatsApp message, but also in or around early 2020, I was driving along Kitchener Parade and I observed groups of men who appeared to be Muslim walking towards a door between two shopfronts which, unknown to me at the time, led to the Centre. The men appeared to me to be Muslim because of:
 - (a) the cut and style of their beards;
 - (b) the way that they dressed, in particular the fact that they were wearing the Muslim Abayah (gown); and
 - (c) the fact that some were holding Islamic prayer mats in their hand whilst walking into the Centre.
8. On another occasion when I was driving past the Centre around early to mid 2020, I saw a similar group of men and stopped and asked them where they were going. The entry into the Centre was confusing and unclear as the entry was a random door between two shop fronts. The men led me to the entry of the Centre and up a pligh of stairs to a small prayer space where I met Wissam Haddad.
9. I knew of and about Wissam through mutual community members and through seeing him and speaking to him casually at various mosques around Sydney, and I had heard through the community that he was going to be running the Centre, but I did not know him well at the time.




10. Wissam welcomed me to the Centre. I told him that I drove past often and saw people walking in and was curious as to where these men were walking into. I told him I had recalled seeing a WhatsApp message in a group chat but did not really look into it properly. I asked Wissam about the opening times of the Centre and the timing of the programs being run. Wissam told me that I was always welcomed into the Centre to pray as long as I prepared myself spiritually beforehand.
11. Since 2020, I have attended the Centre two to three times a week when I could for prayers. I also attended when I could on Fridays for prayers and sermons. I have attended prayers and sermons both at the old location of the Centre and at the new Al Madina Dawah Centre located at 54 Kitchener Parade, Bankstown, NSW. On the rare occasions when I cannot make it to the Centre, I often watch Wissam's sermons on Rumble.
12. Over the years since I first attended the Centre, Wissam has been a spiritual guide for me as a Muslim. I trust and respect him as someone who is highly knowledgeable about Islam. When I am in need of religious advice, I go to Wissam. When I have a question about Islam or a verse that Wissam references within his sermons, whether this be from the Qur'an or Hadith, I speak to Wissam and he helps me understand it. When I experience issues in terms of my faith and spiritual hardships, I turn to Wissam for spiritual guidance and advice. When Wissam has not been able to help me in a particular area, for example, marriage, he has referred me to a sheikh who specialises in that area.

My role in the move to 54 Kitchener Parade, Bankstown

13. I recall that during a sermon I attended at the old Al Madina Dawah Centre, Wissam announced that the Centre would be relocating to a bigger space just up the road at 54 Kitchener Parade Bankstown. I don't recall exactly when this was but I think it would have been sometime in late 2021 because the new Centre opened in early 2022.
14. After Wissam made this announcement, I spoke to Wissam and offered to volunteer my fencing and labouring services to help set up the Centre at the new location. Wissam accepted my offer.
15. I purchased and installed all the black gates all around the Centre. Annexed to this affidavit and marked **EN-1** is a photograph of these gates. The photograph was taken in May 2025 but I confirm they appear the same as when I first installed them.
16. Around the time I was installing the gates around the Centre, Wissam asked me to install a sign he had purchased on the front gate which reads '*Private Property, no trespassers*'. Annexed to this affidavit and marked **EN-2** is a photograph of the sign. The photograph was taken in May 2025 but I confirm it appears the same as when I first installed it.




17. I installed the gates and the sign in around January 2022, just before the Centre was officially furnished and open to congregants.

Observations from attending sermons and prayers


18. I attend most Friday prayers, lectures and sermons. Friday is our holy day and we must attend the Masjid on Fridays to pray. I have watched numerous religious lectures and sermons delivered by Wissam on Friday.
19. The Friday sermons and lectures I have watched have always been based on different topics and books derived from the Hadith and the Qur'an and relating those to what is happening in the world around that time.
20. Usually there are about 30 attendees at the lectures. These are usually always the same group of people. At the sermons, I believe there are around 250 – 300 people in attendance including myself. It is usually the same group of people who attend these sermons and lectures. The attendees at the sermons and Friday prayers are all Muslim. I know that they are Muslims because I know most of them personally and they present as Muslims because:
- (a) they are familiar with the rituals before the sermon;
 - (b) they engage in the prayers before the lecture;
 - (c) the men are dressed in a Muslim abayah and the women are dressed in hijabs and jilbabs;
 - (d) the men have their beards trimmed in a way that Muslims traditionally trim their beard with no moustache; and
 - (e) some bring in their own prayer mats.
21. Before I started attending the Al Madina Dawah Centre, I used to attend any Islamic prayer centre sporadically and the one that would be closest to wherever I was working. The difference between the Al Madina Dawah Centre and the various Centre's I previously attended is that everyone I have encountered at the Al Madina Dawah Centre seems to know each other and has some form of friendship. I have observed this, for example, by participating in conversations with other congregants after prayers and sermons. I would describe it as a tight-knit community.
22. There is a process to get inside the Centre as well as a religious process of preparation required before engaging in prayer.
23. When attending the Centre, there is a set of stairs we walk up to get into the prayer space. There is then an individual who greets us at the top of the stairs and applies a scented musk onto our wrists to prepare us for prayer. In my time at the Al Madina Dawah Centre,

it has always been the same individual who applies this musk onto our wrists. The scented musk is representative of us needing to be in our cleanest form and odourless before praying and engaging in the sermons as it is offensive not to. We are also required to take our shoes off before entering the prayer space.


24. In the five years or so that I have attended prayers and sermons at the Centre, I have never seen, met or spoken to anyone at the Centre who appeared to be or identified themselves as a non-Muslim, including a Jewish person or a Christian person.

Sworn by the deponent
at Sydney
in New South Wales
on 8 May 2025
Before me:

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)
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)
)


Signature of deponent

Isabella Jabbour
Solicitor
40 Parramatta Road,
Forest Lodge NSW 2037


Signature of witness

Annexure EN – 1

No. NSD 1503 of 2024

Peter Wertheim AM and another
Applicants

Wissam Haddad and another
Respondents

This is the annexure marked **Annexure EN – 1** and referred to in the Affidavit of Enver Neziroski sworn 8 May 2025.





PRIVATE
PROPERTY
NO
TRESPASSING

WHAT THE
PURPOSE OF
LIFE?





PRIVATE
PROPERTY
NO
TRESPASSING

Annexure EN – 2

No. NSD 1503 of 2024

Peter Wertheim AM and another
Applicants

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This is the annexure marked **Annexure EN – 2** and referred to in the Affidavit of Enver Neziroski sworn 8 May 2025.

**PRIVATE
PROPERTY**

**NO
TRESPASSING**

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NOTICE OF FILING

Details of Filing

Document Lodged:	Affidavit - Form 59 - Rule 29.02(1)
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File Title:	PETER WERTHEIM AM & ANOR v WISSAM HADDAD & ANOR
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



A handwritten signature in blue ink that reads "Sia Lagos". The signature is fluid and cursive, with the first letters of "Sia" and "Lagos" being capitalized and prominent.

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.