

NOTICE OF FILING

Details of Filing

Document Lodged:	Affidavit - Form 59 - Rule 29.02(1)
Court of Filing	FEDERAL COURT OF AUSTRALIA (FCA)
Date of Lodgment:	24/04/2024 2:54:45 PM AEST
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File Number:	NSD474/2024
File Title:	ESAFETY COMMISSIONER v X CORP.
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA

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.

Form 59

Rule 29.02(1)

Affidavit

No. NSD474 of 2024

Federal Court of Australia

District Registry: New South Wales Registry

Division: General

ESAFETY COMMISSIONER

Applicant

X CORP.

Respondent

Affidavit of: **Mar Mari Emmanuel**

Address: Christ the Good Shepherd Church in Wakeley, New South Wales.

Occupation: Bishop

Date: 24 April 2024

I **Mar Mari Emmanuel**, Bishop of Christ the Good Shepherd Church in Wakeley, say on oath and in the name of the Father and of the Son and of the Holy Spirit:

1. I make this affidavit from my own knowledge unless stated otherwise. Where I depose to matters based on information given to me, I believe that information to be true and correct.

Background

2. I was born on 19 July 1970 in Iraq.

^{DS}
JHG

^{DS}
BMME

3. I am currently a Bishop at Christ the Good Shepherd Church in Wakeley, New South Wales.

Incident on 15 April 2024

5. On the evening of 15 April 2024, I began to deliver my sermon at Christ the Good Shepherd Church.
6. I livestreamed my sermon on the Christ the Good Shepherd Church's YouTube channel. This is my usual practice. The Christ the Good Shepherd Church YouTube channel is available at <https://www.youtube.com/channel/UC1Vmg9NCUwkj7UHs1KxfomA>.
7. At approximately 7.00 pm I was approached by a person who attacked me.
8. In the days following the incident, I understand footage of the incident was shared broadly on social media and subject to public discussion and debate.

Posts of the incident on X social media service

9. I have viewed the posts on X commenting on the incident, at the following URLs that include video footage of the incident:
 - (a) [REDACTED];
 - (b) [REDACTED];
 - (c) [REDACTED];
 - (d) [REDACTED] and
 - (e) [REDACTED].
10. I am informed by the Respondent that the videos in the links above show the same content or footage which is the subject of this case.
11. I acknowledge the Australian Government's desire to have the videos removed because of their graphic nature. I do not condone any acts of terrorism or violence, however, noting our God given right to freedom of speech and freedom of religion, I am not opposed to the videos remaining on social media.
12. I would be concerned if people used the attack on me to serve their own political interests to control free speech.

DS
JHG

DS
BMM-E

My attitude towards my attacker and others generally

- 14. I love all people, and I pray for all people as human beings regardless of race, background and religion.
- 15. I am a proud Australian and I love my country.
- 16. I have absolutely no animosity or ill will towards the perpetrator of the attack. I wish him well and give him my blessing.

Sworn by the deponent)
 at Wakeley)
 in New South Wales)
 on 24 April 2024)
 Before me:)

DocuSigned by:
Bishop Mar Mari Emmanuel
 D4DFC880A83C41D...

 Signature of deponent

DocuSigned by:
Justin Healy Quill
 2DCF0867B17F455...

Signature of witness

Justin Healy Quill
 Australian Legal Practitioner
 Level 23, 525 Collins Street, Melbourne in the State of Victoria
 A person authorised under section 19(1) of the *Oaths and Affirmations Act 2018* (Vic) to take an affidavit.
This document has been electronically signed in counterpart by the deponent and witness, and witnessed over audio-visual link in accordance with s 18A of the Oaths and Affirmations Act 2018 (Vic).