



Form 59
Rule 29.02(1)

Affidavit

No. 1503 of 2024

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

Peter Wertheim AM and another
Applicants

Wissam Haddad and another
Respondents

Affidavit of: **REDACTED**
Address: **REDACTED**
Occupation: Teacher
Date: 25 March 2025

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I, **REDACTED** Teacher, say on oath:

Background

1. I am 72 years of age, and I am Jewish.
2. Since 1997, I have been a senior high school teacher at Moriah College, and I have taught Studies of Religion since 1994, initially at Masada College. I have taught Jewish History for about 40 years, and I am currently working part time.

Filed on behalf of (name & role of party) The First and Second Applicants
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[Version 3 form approved 02/05/2019]

Peter Wertheim

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3. I have been immersed in the Jewish community all my life and this started initially in my birthplace, South Africa. I grew up in a very traditional, tightly knit Jewish community in Johannesburg, and since migrating to Australia in 1979, I have been immersed in the Sydney Jewish community.
4. My role in the Jewish community is in education, imparting Jewish history and commitment to Jewish heritage to students. I was involved in interfaith dialogue with Christian and Muslim schools for over 30 years, and I worked closely with the Jewish Board of Deputies and built what I believed were strong relationships with members of the Islamic Sciences and Research Academy of Australia (ISRA).
5. My identity is inextricably linked to the Jewish community, and it is the essence which defines my world view and shapes the rhythm of my life and the life of my family.
6. I have not personally encountered antisemitism, and I have not been made to feel self-conscious about being a Jew. However, about 8 years ago, there was an instance that stands out to me when John Hamey, the then headmaster of Moriah College who is not Jewish, attended a Principals conference and reported back to me that he was asked by some other attendees how it was working with "those Jews". I was shocked to hear this and I thought to myself that antisemitism did exist in Australia and was just beneath the surface. Examples like this are a reminder to me that there are people in Australian society that do not like Jews or treat us differently because we are Jews.
7. After the Holocaust, the Jewish community's mantra has been "never again", a statement also supported by many Australians outside of the Jewish community. This has always given me a certain comfort that as a Jewish person, I was okay and safe in Australia. The theme of Jews being attacked and persecuted is a matter of our people's history and our religious festivals and observances regularly acknowledge and enforce this. For example, during Purim each year we recount and remember the story of Haman and his plot to exterminate the Jews. During Pesach (Passover) each year, we recount and remember the story of our people's slavery in Egypt, the attempt to destroy our people, and remind ourselves of the danger to the Jewish people and that every generation must see themselves as if they had been slaves in Egypt and participated in the Exodus. As a Jewish person, we are always aware of our history, including the Holocaust, and the fact that despite how good things may be at a particular point in time, there is potential for things to change. For me following 7 October 2023, the phrase "never again" turned to "ever again" and I felt that things had in essence mutated to something fundamentally different for Jews in Australia. I now feel self-conscious, and I understand that my grandchildren feel self-conscious, about being a Jew, and this is not just because of the shared Holocaust experience, it is much broader, it is our collective



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history, and our collective awareness as Jews and the ever-present potential for harm that lurks.

8. In October 2023, I found the scene outside the Opera House shocking, and I felt devastated to see people outside their mosques and in the streets of Sydney being joyous at the massacre of Jews, including women and babies on 7 October 2023. It made me feel despair as to how we as Jews could respond to all of this. We are a resilient people and that is part of our history which is one of persecution and survival. I have noticed one response has been to be even prouder to be Jewish and display outward signs of our identity. I have noticed more people in the community wearing a Magen David (Star of David), however doing so does not come without fear of personal harm as a result in the environment since 7 October.

9. [REDACTED]

Speeches

10. In around November 2023, when Mr Haddad's speeches were delivered, I recall seeing excerpts of speeches and reading articles in "The Australian", but I cannot now accurately state which specific articles I read. At the time, and reviewing the Speeches again, my feelings were of utter disbelief, horror and revulsion at the language and messages Mr Haddad used towards Jews, such as of the filth of the Zionists, murdering cowards, demons, love of wealth, our forefathers showed enmity, a treacherous people, a vile people, that a Jewish woman poisoned a prophet, and that Israel holds the leash of the western world. I was shocked that this was happening and being said in Australia. These words were insulting and offensive to me as a Jew and I feared for what may

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happen to us with this threatening and intimidating rise of antisemitism in Australia and blatant and out in the open hatred being preached about Jews.

11. On 12 March 2025, I watched a montage of Mr Haddad's speeches that was provided to me by the Applicants' solicitors, Deutsch Miller (the **Speeches**). After watching the Speeches, I thought that Mr Haddad used explicit language that vilified Jews, Judaism and Israel. For example, Mr Haddad in the Speeches speaks of filth of the Zionists, that Jews break agreements, Jews' love of wealth, Jews are a treacherous people, a vile people and murdering cowards. For me, Mr Haddad's comments were the latest iteration of antisemitism. I found the Speeches following the aftermath of 7 October 2023 to be hurtful to me personally and to the Jewish community because of our collective history of antisemitism and understanding of the Holocaust. As I have discussed above at paragraph 7, the mantra that Jews say of "never again" has now become "ever again". The Holocaust and clerics like Mr Haddad, are the biggest examples and lessons for Jewish people to not be fooled, and to stay vigilant. It is a stark reminder that even in Australia and after all that we as Jews have contributed to Australian society, there exist some people that do hate us and wish to do us harm. As resilient and proud as we are as Jews, you cannot help but find this intimidating and a cause of fear of personal harm, especially given our historical experience of persecution and that of the Holocaust.
12. After watching the Speeches, and following the aftermath of 7 October 2023, I feel uncertain and wary for my safety and for the communal safety of Jews. There is a new element that has entered my social contract of how I interact with people, and behave around others, for example the people I hug and kiss, and my interfaith interactions and activities that I previously enjoyed so freely and openly. As a teacher at Moriah College, I have always been aware of safety, as the school is a Jewish school, and has large gates and armed men that surround it. This has also served as a reminder to me that there are people who hate Jews and wish to do Jews harm in Sydney and in Australia. I recall on occasions that when students from different schools would come to Moriah College, they would ask why there were armed men at our gates, and for me there has always been a sense of vulnerability because Moriah College is a Jewish school, but since 7 October 2023 and the change in society that I feel has followed, [REDACTED], that vulnerability and fear of harm has increased. We regularly do safety drills at Moriah, and I have never taken the safety drills lightly.
13. I feel Mr Haddad is an example of what I have referred to above, that there are people in Australia that hate Jews and wish us harm. I cannot take the content of his Speeches and the manner in which he delivered them in any other way, and it is scary both for what it is but also where hatred and antisemitism like this can lead to the worst harm and

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death to Jews, which is something I am acutely aware of as a Jew and as a history teacher. Based on my experience as a teacher of Jewish history, the tropes that are in the Speeches, such as Jews loving wealth and breaking agreements, are offensive and threatening antisemitic slurs that Jews recognise when they hear them as being repeated tropes that have been used throughout history, including in the lead up to and during the Holocaust, to justify harm to Jews.

14. It is shocking and particularly offensive to hear these Speeches made by Mr Haddad, who is a leader in a Muslim community of Sydney. I understand after watching the Speeches that Mr Haddad is conveying his hatred of Jews with great conviction. I feel deep concern at the impact this has had within his own community and the effect it is having in the wider community.
15. I understand that Mr Haddad's Speeches have been published on social media and such public statements of hatred towards us may become socially acceptable and 'normal.' Watching these Speeches and reading reports about them around 18 months after the unleashing of this outpouring of hatred is very confronting.
16. I understand that Mr Haddad claims to draw on selected sources from the Quran to validate his hatred of Jews, which in my view is a powerful way to influence the people he is addressing. Mr Haddad has authority as a cleric and is abusing his position to foment division and hatred of Jews.

Concerns over my identity

17. There have recently been attacks on Jews in the area where I live. I am concerned for my safety, given how easily addresses can be traced, and I would prefer not to have my name or address publicised. If my name or address were published, I would be cautious to provide evidence as I would be concerned about my safety.

Sworn by the deponent
at Sydney
in New South Wales
on 25 March 2025
Before me:

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Signature of deponent

Poppy Carlie Isabella Kambas
Solicitor / Australian legal practitioner
Level 9, 53 Martin Place
Sydney NSW 2000

Signature of witness

Poppy Kambas

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NOTICE OF FILING

Details of Filing

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A handwritten signature in blue ink that reads "Sia Lagos".

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.