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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

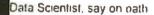
Respondents

Affidavit of:	REDACTED
Address:	REDACTED
Occupation:	Data Scientist
Date:	25 March 2025

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Background

- 1 I am 39 years old and I am Jewish
- 2 I work in data science at a large management consulting firm
- 3 I was born in Sydney and have lived here my whole life. I am Jewish as is my whole family. Three of my grandparents were Holocaust survivors.
- My late paternal grandfather was a Holocaust survivor who was liberated from a concentration camp, Mauthausen-Gusen, at just 14 years old. His parents and younger siblings were murdered in the Holocaust because they were Jewish. My paternal grandfather came to Australia with nothing and succeeded through hard work and initiative. I have enormous respect for all he achieved, as well as his ethical conduct and his incredible generosity. My grandfather helped those who were weak or in need, not only when he could afford to, but even at an earlier stage of his life when he had little money to give others. I know of plenty of other Jews who have similarly helped out those in need.
- 5 I do not attend synagogue except on special occasions and I am not religious. My religious views are closer to atheism, but I am a proud secular Jew. My father is religious and my brother, who lives overseas, is an orthodox Rabbi. I have traditional Shabbat family gatherings, which are Friday night dinners with family, most weeks.
- 6. My experience growing up in Australia was that I always felt that I participated fully in Australian life. I never had issues integrating into wider society. However, there are several instances that I outline below where I have felt that people do not like Jews, and instances where I have been cautious about telling people that I am Jewish:
  - (a) In one of my former workplaces, I experienced antisemitism with a colleague who was a Holocaust denier and had what I regard to be very far right views. I recall on one occasion he sent me an article called the "10 reasons why Hitler was one of the good guys". I found his behaviour very confusing, as I otherwise thought he was a nice person. After one of these incidents happened, I wanted to go the Synagogue for prayers, which I do not normally do, as I wanted the comfort to be with people who could understand me.
  - (b) I have also experienced casual racism in the workplace such as when another colleague used a stereotypical Yiddish accent to mock my grandmother who he had never met, and stereotypes of Jews as stingy, which I found hurtful.

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7 I have always been aware growing up and living as a Jew that there is always a chance that someone could make derogatory comments to me because I am Jewish, or treat me differently because I am Jewish, but I thought the risk was low

The awareness that there are people who do not like Jews is just a part of growing up and living as a Jew. I have had first-hand experience of this as stated above, and I am conscious in my day-to-day life that there are security guards outside the gates of communal Jewish institutions, which is a constant reminder for me that there is a threat, and there is always a possibility of something happening. Even though I am aware of this, I do not let that hold me back, and for the most part of my day-to-day life, it does not impact me.

- 9. It is upsetting to know that people can look at me in a negative light because I am Jewish and as a result of untrue comments or stereotypes that Mr Haddad says, or other Islamic clerics may say, and that people are judging my family or friends.
- 10 The Holocaust is often on my mind, because of my family's history, and REDACTED REDACTED which

hosts two major Holocaust commemorations every year. The reminder of the Holocaust makes me appreciate living in Australia and knowing what we have, and what my family has gone through. One of the reasons why I love Australia is the multicultural harmony that exists. I have been involved in interfaith communities such as the NSW Council of Christians and Jews, and for me it is not just about the freedom we have in Australia, but that everyone gets along. When you have someone such as Mr Haddad speaking the words about Jews that he has, it is a real worry about how much that harmony in Australia is being disturbed, and how much of this is being normalised. For me, it shakes my sense of safety as a Jew in Australia and whether or not there is now a threat of harm that did not exist before 7 October 2023.

#### My Involvement with the Jewish Community

- 11. I am very involved in the Jewish community. Almost all my friends are Jewish. I graduated from a Jewish school. I regularly attend Jewish social events, performances and lectures. I donate to multiple Jewish fundraising organisations. I have been in community roles for approximately 15 years.
- 12. The roles I have held in the community include:
  - (a) being a director at the NSW Jewish Board of Deputies (NSW JBD), which is the representative organisation for the NSW Jewish community. I have been on the board of directors continuously since 2017. This is an elected role. I attend monthly board meetings and various other events that directors are invited to:

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(b)



- (c) being elected as a Deputy at NSW JBD. Around 70 community members are elected to this position. I have been a Deputy for almost 15 years. I attend monthly community plenums and various other events for Deputies;
- (d) since 2015. I have helped organise JBD's annual commemoration of the plight of more than 800,000 Jewish refugees from Arab countries and Iran. This has helped make me aware of the extent and history of antisemitism in parts of the Muslim world; and
- (e) being an adviser to the Executive Council of Australian Jewry (ECAJ). I was previously a young adult adviser; in which capacity I collected data on young adult engagement initiatives undertaken by ECAJ's constituent organisations and wrote a report on this. I attend quarterly ECAJ meetings.
- 13. Some of my previous community roles include being a board member of the NSW Council of Christians and Jews, board member of Limmud Sydney, which organises annual "Limmud Oz" Jewish learning conferences, board member of ZDVO Beit Halochem Australia, a charity that helps wounded Israeli veterans, and member of the JBD Community Relations Committee, which liaises with other ethnic and religious groups in NSW.
- 14. In 2020, I was a co-recipient of the Australian Jewish Changemaker Award for young adult contribution to the Jewish community.

#### Speeches

15. In November 2023, I read several newspaper articles written a few days apart by Alexi Demetriadi in "The Australian", which generally covered outrageous antisemitic content in Mr Haddad's sermons. I regularly read The Australian's online articles, particularly those on antisemitism, Israel and Jewish issues. One of the articles I read was published by The Australian and authored by Stephen Rice and Alexi Demetriadi dated 8 November 2023, and called "Kill Jews' hate preacher Wissam Haddad (Abu Ousayd) unmasked as Islamic State backer." This artIcle noted that Mr Haddad was an extremist who expressed support for terrorist groups such as ISIS and Al-Qaeda, had friendships with terrorists Khaled Sharrouf and Mohamed Elomar, and he joked about Muslims spitting on Israel to drown Jews. I felt intimidated by Mr Haddad's hatred towards Jews

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combined with his support for terrorism, and I was concerned about whether violent people may take action based on his incitement. I found Mr Haddad's comment about drowning Jews by spitting on Israel to be humiliating.

16 On 20 or 21 December 2023, when I was on a social media site called "Reddit", I came across a 4-minute video of Mr Haddad titled "Preacher at "Al Madina Dawah Centre" in Sydney: Jews Are Rats, Cowards, Mischievous, Control the Media, Banks, Hollywood," This video contained some, but not all, of the footage in Speech A of the Applicants' complaint, which is titled "The Jews of Al Madina Part 1" (Speech A) delivered by Mr Haddad on 4 November 2023. This was on a "subreddit" I follow called "r/Australian", which posts content relevant to Australians. A copy of a screenshot of this Reddit post is annexed and marked Annexure 1. I found a copy of the full video of Speech A uploaded to a site called Middle East Media Research Institute (MEMRI) which is a website that exposes antisemitic footage. The video on MEMRI was titled "Australian Islamic Scholar Abu Ousayd: The Jews Are Rats, Cowards, Mischievous, Control The Media, Banks, Hollywood; The Anti-Zionist Ultra-Orthodox Jews Are Not Friends Of The Muslims, But Speaking Out Against Israel Is Good For Us - Enjoy The Show." A copy of a screenshot of the post on MEMRI is annexed and marked Annexure 2. After watching the 4-minute video:

- (a) My immediate thought was that Mr Haddad was clearly inciting hatred against Jews and that this was extremely disturbing to me. I felt worried for the safety of the Jewish community I belong to, as Mr Haddad had described and called Jews in this video as "mischievous people causing strife" for whom "peace is bad", and he spoke positively about the end of times, as he said in the video "when the trees and stones will speak and tell the Muslims where the Jews are hiding so they can kill them". These comments were extremely offensive and insulting to me as a Jew. I found the positive reference to Muslims killing Jews to be intimidating.
- (b) I was also shocked that Mr Haddad said there is no distinction between Jews and Zionists. I recall Mr Haddad saying in the video that "nobody come and tell me ... this is the Zionists it's not really the Jews, there was no Zionists at the time of the prophet ... it was Jews, yahud". To me this meant that any criticism Mr Haddad had of Israel or Zionism applied to Jews as a whole.
- (c) Mr Haddad says in Speech A that Jews "would use ... wealth in order to have authority over the weak, just like they do today ... they would use this against the weak". I was offended by the generalisation that Mr Haddad made by this comment, and I felt that Mr Haddad was besmirching the reputation of many

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people dear to me, including my late grandfather, by making such crude and hateful generalisations. It is offensive and insulting that Mr Haddad is not looking at Jewish people as individuals and making generalisations about Jewish people

17 To prepare this affidavit, I watched a montage of speeches prepared by the Applicants' solicitors, Deutsch Miller, (the Speeches). I was also asked to read some articles that were published by news outlets on or around the time the Speeches were delivered. On 1 March 2025, I read all the articles provided to me by the Applicants' solicitors, and on 2 March 2025, I watched each of the Speeches I had been provided.

- 18. I felt scared when I watched the Speeches, because I know in the past Jews have been considered as subhuman, particularly in the Holocaust, and Mr Haddad refers to Jews as "descendants of pigs and apes". To me, comments like these allow people to justify violent acts against Jews, to not treat Jewish people the same as others, and to treat Jews as "less than" human. To speak of Jews in terms of being subhuman is intimidating to me as a Jew, when history has shown, it can lead to the worst kind of harm to Jews. The Speeches are also highly insulting to me as a Jew, as Mr Haddad suggests that I am less than human and not like other people just because I am a Jew. I was also disturbed and fearful to realise that a person in my city with a large audience (based on his thousands of Instagram followers), could espouse so much vitriol based on what he claimed were inherent characteristics of Jews. I reacted with disgust upon viewing these Speeches by Mr Haddad. I took Mr Haddad to be expressing virulent hatred of Jews and inciting his audience to hate Jews. I took this hatred as not just towards Israelis, not just towards Zionists, but towards all Jews, in Australia and elsewhere, including me.
- 19. I am not a person who is easily offended, however, Mr Haddad has besmirched Jews as inherently being of bad character, and I find his comments offensive and insulting. An example of where Mr Haddad offended and insulted me was when he said in the Speeches that Jews were "a treacherous people, a vile people". To me, this was a characterisation of Jews, simply on the basis of being Jewish. Mr Haddad was not merely referring to specific Jewish individuals, but to all Jews as inherently having these traits, including myself and those dearest to me. For me growing up in a family and community with a Holocaust surviving legacy, I find the generalisations of Jews as vile, mischievous people is a reminder of the Holocaust and brings up all the intimidation and fear of where speeches like these can lead to justify physical harm to Jews.
- 20. I also felt offended and insulted when Mr Haddad said in Speech D (which is called Media Response to Reality of World Palestine), that Jews were "a people that are known to be liars". By Mr Haddad using the words "known" to be, suggested to me that Mr Haddad is preaching that Jews are indeed liars, which is both hurtful and humiliating.

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- 21 Similarly, in Speech B, which is called Murdered by Israel Khutbah Jummah, Mr Haddad said "the Jews are a people inclined to slander and falsehood". I felt insulted that Mr Haddad does not speak of Jews as individuals, with our own merits and faults, but instead generalises us in the worst light possible, thereby diminishing our individuality and humanity. Mr Haddad refers to specific incidents he believed happened thousands of years ago and makes claims in the Speeches that "this is their character" in the present tense. Mr Haddad using the words "this is" signifies that these traits are inherent to all Jews throughout time and even Australian Jews today. For me, this reminds of what the Nazis did, using one Jew as an example for the basis of further persecution.
- 22. I also felt insulted that Mr Haddad blamed Jews for all divisions in the Muslim world. Mr Haddad, in his Speeches, says in effect that there is not a separation that happens in the Ummah, being the global community of Muslims, except that behind it is the Jews. In my view, by making statements like this, Mr Haddad has scapegoated Jews for every internal problem amongst Muslims. In doing so, he has incited his followers to blame Jews every time they see division amongst fellow Muslims, which inevitably encourages them to hate Jews.
- 23. I felt humiliated by Mr Haddad describing Jews in his Speech as "the cowards that they are today" and as "rats". I felt further humiliated by him approvingly quoting Muhammad calling Jews in his Speech as "descendants of apes and pigs". By calling Jews pigs and apes, it reminds me of the Holocaust, and it bring up parallels of Nazi propaganda by speaking of Jews as subhuman. To my knowledge and belief this is reminiscent of the Nazism that murdered my grandparents' parents and siblings. Even if it is a legitimate Islamic belief that Muhammad made this claim, Mr Haddad utilised this for the purposes of justifying his hateful views towards Jews. I am concerned that as a result of Mr Haddad's Speeches and the environment he is contributing to since 7 October 2023 by making the Speeches, there is a risk and fear of escalating incidents of harm to me as a Jew, and my community, reminiscent of what happened in the lead-up to the Holocaust, with the rapid increase of antisemitism possibly replicated to some extent.
- 24. I felt intimidated by Mr Haddad speaking approvingly about Muslims killing Jews. Mr Haddad claims that towards the end of time, Muslims will be fighting the Jews, which to me indicates that conflict with Jews is inevitable, and he further says that trees and stones will say "O Muslim, O believer, there is a Yahudi behind me, come and kill him". Mr Haddad claimed Allah would cause "miracles" for the nation of Muhammad to see and hear this with their own eyes and ears, giving a positive interpretation towards incitement to murder Jews. The intimidation I felt by Mr Haddad speaking excitedly about fighting and killing Jews is exacerbated by the fact that I understand through media articles (including the article I refer to at paragraph 15), that Mr Haddad is claimed to

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have mixed with terrorists and supported terrorist groups like Islamic State and Al-Qaeda

25. Mr Haddad appears to have a large following, including leading the Al Madina Dawah Centre

undertaking "Dawah" which I understand is outreach in public. As such, I fear Mr Haddad has the opportunity to spread hatred against Jews to a sizable number of Muslims, including children and new converts who may not be informed enough to question what he tells them about Jews and the Jewish community in Australia.

## Concerns over my identity

- I am concerned for my safety if I give evidence in these proceedings and my identity is not suppressed.
- I believe, based on the Speeches, that Mr Haddad harbours extreme animosity towards Jews including myself, by virtue of being Jewish.

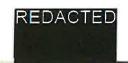
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Swom by the deponent	
at Sydney in New South Wales	) REDACTED
on 25 March 2025	) Signature of deponent
Before me:	
Poppy Carlie Isabella Kambas	
Solicitor / Australian legal practitioner	

Solicitor / Australian legal practitioner Level 9, 53 Martin Place Sydney NSW 2000

Signature of witness,

This affidavit was signed in counterpart and witnessed over audio video link in accordance with s 14G of the *Electronic Transactions Act 2000* (NSW).

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No. NSD 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



This is the annexure marked "Annexure sworn 25 March 2025.

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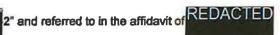
No. NSD 1503 of 2024

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

PETER WERTHEIM AM and another Applicants WISSAM HADDAD and another Respondents



This is the annexure marked **\*Annexure** sworn 25 March 2025.



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# **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:	5/06/2025 5:53:07 PM AEST
Date Accepted for Filing:	6/06/2025 9:12:52 AM AEST
File Number:	NSD1503/2024
File Title:	PETER WERTHEIM AM & ANOR v WISSAM HADDAD & ANOR
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



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.