



FEDERAL COURT OF AUSTRALIA  
DISTRICT REGISTRY: NEW SOUTH WALES  
DIVISION: GENERAL

No. NSD 1503 of 2024

BETWEEN

**PETER WERTHEIM AM and ROBERT GOOT AO SC**  
Applicants

AND

**WISSAM HADDAD and AL MADINA DAWAH CENTRE INCORPORATED ABN 38 967  
325 114**  
Respondents

### **APPLICANTS' SUBMISSIONS ON RELIEF**

1. The Court is satisfied that it has the power to order the publication of corrective notices, and that a proper form of redress to be ordered in this case is that the respondents publish corrective notices on their relevant social media accounts for a period of 30 days: *Wertheim v Haddad* [2025] FCA 720 (J) at [273] and [275]. The outstanding issue is the form of order, including the specific requirements for the various social media accounts: J [275].
2. The applicants seek the orders set out in the short minute annexed to this submission. Those orders have been altered from those which were sought at trial, in light of the Court's judgment. The changes are as follows.

#### **Text of corrective notice**

3. The order would require both respondents to publish a notice in the same terms. The proposed text for the corrective notice, excerpted at J [271], has been edited slightly. The penultimate paragraph of the text has been omitted: see J [276]. The first two paragraphs have been amended to reflect the Court's conclusion that the contravening conduct was the making and publishing of Speeches A, C and E. Other changes are typographical.

#### **Orders tailored to social media platforms**

4. The orders have been amended so that, taking into account the particular features of each social media platform, followers of the relevant accounts and visitors to their pages will be able to see the corrective notice for 30 days. The corrective notices will be prominent. However, they will not prevent the respondents from sharing other content on those platforms.

5. The affidavit of Poppy Carlie Isabella Kambas affirmed on 7 July 2025 outlines the relevant features of each social media platform, demonstrates the steps required to comply with the terms of the orders, and illustrates how the corrective notices would be presented on each platform if the Court made the orders sought by the Applicants.
6. In summary, the relevant features of the social media platforms are:
  - (a) Facebook: The Al Madina Dawah Centre has a Facebook “Page”. Facebook posts by a “Page” can comprise text, images and/or video. Pages on Facebook have a “featured” post function. “Featured” posts appear at the top of the feed of a page.
  - (b) Rumble: The Al Madina Dawah Centre has a Rumble “channel”. Rumble is a video platform similar to YouTube. A visitor to a particular Rumble channel sees a selection of thumbnails from videos, along with the title of each video. Once one clicks on the title of a video, one sees the video or a thumbnail from it, with the title of the video below. If the operator of the channel has chosen to include a “description” explaining the video, at least an excerpt of that is visible directly below the video and its title. By clicking “show more”, a user can see the full text. A channel can “feature” a video so that it appears at the top of their page.
  - (c) Instagram: “Grid” posts on Instagram are either videos or pictures, and can have text captions. Users may “pin” a post to the top of their profile. “Story” posts are videos or images only. A user may share a grid post to their stories, such that viewers of the account’s stories can see the image or video posted to the grid and then tap through to see any captioning text. “Story” posts last 24 hours, although if user adds a “story” to their “Story Highlights” the story may be viewed beyond that period by tapping an icon at the top of the user’s page.
  - (d) Soundcloud: Soundcloud posts, called “tracks”, are primarily audio, though they have a title, a thumbnail image, and a caption. The “Spotlight” function allows a user (with an “Artist Pro” subscription) to select up to five tracks to be at the top of their landing page, no matter when they were posted. The caption of a track is not visible on a user’s home page unless one clicks through to listen to that specific track.
7. Due to the multimedia nature of the platforms, the publication of a corrective notice on them requires the creation of various digital files. In order to assist with the Respondents’ compliance with the orders sought, Ms Kambas has created a number of digital files, which

are contained on Exhibit PK-3 (a USB) to her affidavit. The USB contains the following folders:

- (a) “Instagram & Facebook Post”, containing three image files called “Slide 1.png”, “Slide 2.png” and “Slide 3.png”. The text of the corrective notice in Annexure A is legible and split across the three image files.
  - (b) “Rumble Post”, containing a video file called “Rumble Post.mp4” and an image file called “Rumble Thumbnail.jpg”. The video is one minute long. It is a still image of the text of the corrective notice in Annexure A. The image contains the text “CORRECTIVE ORDER: NOTICE BY THE FEDERAL COURT OF AUSTRALIA”.
  - (c) “Soundcloud Post”, containing an image file called “Corrective Notice – Thumbnail.png” and an audio file called “Corrective Notice Audio.m4a”. The audio file records Ms Kambas reading aloud the text of the corrective notice at Annexure A. The image file contains the text: “CORRECTIVE NOTICE: PUBLISHED BY ORDER OF THE FEDERAL COURT OF AUSTRALIA” in legible font.
8. The orders have been amended to require the Respondents to deploy these digital files, as well as the text of the corrective notice in Annexure A, to post the corrective notice in a way which is tailored to each digital platform.

Dated: 7 July 2025

**PETER BRAHAM SC**

*Eleven Wentworth*

**HANNAH RYAN**

*Eleven Wentworth*

**JOY CHEN**

*Eleven Wentworth*

Federal Court of Australia

District Registry: New South Wales Registry

Division: General

No: NSD1503/2024

**PETER WERTHEIM AM** and another named in the schedule  
Applicant

**WISSAM HADDAD** and another named in the schedule  
Respondent

### **APPLICANTS' PROPOSED ORDER**

**JUDGE:** Justice Stewart

**DATE OF ORDER:**

**WHERE MADE:** Sydney

### **THE COURT ORDERS THAT:**

1. An order pursuant to s 46PO(4)(b) of the *Australian Human Rights Commission Act 1986* (Cth) that the Second Respondent, at its own expense and within twenty-one days of the date of this order, publish or arrange to be published, for a period of 30 days:
  - (a) on its Facebook page (<https://www.facebook.com/madinadawahcentre>), a post consisting of the images "Slide 1.png", "Slide 2.png" and "Slide 3.png" (in that order), contained in the folder "Instagram & Facebook Post" on Exhibit PK-3 to the affidavit of Poppy Kambas affirmed on 7 July 2025 (**Ex PK-3**), accompanied by a caption consisting of the text set out in Annexure A to these orders, and cause this post to be designated a "featured" post;
  - (b) a post on its Rumble page (<https://rumble.com/c/ALMADINADAWAHCENTRE>) which includes:
    - (i) the video file "Rumble Post.mp4", contained in the folder "Rumble Post" on Ex PK-3;
    - (ii) the thumbnail image "Rumble Thumbnail.jpg" contained in the folder "Rumble Post" on Ex PK-3;

- (iii) the title “CORRECTIVE ORDER: NOTICE BY THE FEDERAL COURT OF AUSTRALIA”;
  - (iv) a “description” consisting of the text set out in Annexure A to these orders,  
and cause this video to be designated a “featured” video.
- 2. An order pursuant to s 46PO(4)(b) of the *Australian Human Rights Commission Act 1986* (Cth) that the First Respondent, at his own expense and within twenty-one days of the date of this order, publish:
  - (c) on his Instagram page (<https://www.instagram.com/abu.ousayd/>):
    - (i) for a period of 30 days, a grid post consisting of the images “Slide 1.png”, “Slide 2.png” and “Slide 3.png” (in that order), contained in the folder “Instagram & Facebook Post” on Ex PK-3, accompanied by a caption consisting of the text set out in Annexure A to these orders, which grid post should be “pinned” to the top of his profile;
    - (ii) for a period of 24 hours, a Story post “sharing” the grid post referred to in order 2(c)(i) above, which should be saved as a Story Highlight for a period of 30 days;
  - (d) for a period of 30 days, on his Soundcloud page:  
(<https://soundcloud.com/abuousaydofficial>), a “track” which contains:
    - (i) the audio file “Corrective Notice Audio.m4a” contained in the folder “Soundcloud Post” on Ex PK-3,
    - (ii) as a thumbnail image, the image file “Corrective Notice – Thumbnail.png” contained in the folder “Soundcloud Post” on Ex PK-3; and
    - (iii) as a caption, the text set out in Annexure A to these orders,  
and cause this track to be a “Spotlight” track.

Date orders authenticated

Note: Entry of orders is dealt with in Rule 39.32 of the *Federal Court Rules 2011*.

**Schedule**

No: NSD1503/2024

Federal Court of Australia

District Registry: New South Wales Registry

Division: General

Second Applicant                      ROBERT GOOT AO SC

Second Respondent                      AL MADINA DAWAH CENTRE INCORPORATED ABN  
38 967 325 114

**Annexure A**

**CORRECTIVE NOTICE**

**PUBLISHED BY ORDER OF THE FEDERAL COURT OF AUSTRALIA**

**Unlawful behaviour based on racial hatred  
by William Haddad and Al Madina Dawah  
Centre Incorporated**

Following action by Peter Wertheim AM and Robert Goot AO SC, Jewish members of the Australian community and officeholders in the Executive Council of Australian Jewry, the Federal Court of Australia has declared that William Haddad and Al Madina Dawah Centre Incorporated contravened section 18C of the *Racial Discrimination Act 1975* (Cth) by making and publishing three lectures in a series titled “The Jews of Al Medina” which were reasonably likely to offend, insult, humiliate or intimidate Jewish members of the Australian community and which were made and published because of the Jewish race or ethnic origin.

The lectures were made and published on the Al Madina Dawah Centre’s Rumble page in November 2023.

The Federal Court of Australia found that the speeches included numerous statements which, by disparaging the Jewish people as a whole and repeating racist stereotypes about them, contravened the *Racial Discrimination Act 1975* (Cth).

The Federal Court of Australia ordered William Haddad and the Al Madina Dawah Centre to remove the offending speeches and not to repeat or continue such unlawful behaviour and to pay the applicants' costs of the proceeding.

## NOTICE OF FILING

### Details of Filing

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| Document Lodged:          | Submissions   |
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| Registry:                 | NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA |



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.

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