

NOTICE OF FILING

Details of Filing

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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: **Justin Healy Quill**
Address: Level 23, Rialto Towers South, 525 Collins Street, Melbourne VIC
Occupation: Partner
Date: 2 May 2024

I, Justin Healy Quill of Level 23, Rialto Towers South, 525 Collins Street, Melbourne VIC, Partner, Thomson Geer affirm:

- 1. I am a Partner at Thomson Geer, solicitors instructed by the Respondent to this proceeding. I am authorised to make this affidavit on the Respondent's behalf.

Definitions

- 2. Within this affidavit, where I have referred to "**Video Material**", I am describing audio-visual footage of the incident on 15 April 2024, during which a teenage male stabbed Bishop Mar Mari Emmanuel in a church in Wakeley, New South Wales. When I refer to having viewed the Video Material, I am referring to having viewed at least the actual moments where Bishop Mari Mari was stabbed.

Filed on behalf of (name & role of party) The Respondent, X CORP.
Prepared by (name of person/lawyer) Justin Quill
Law firm (if applicable) Thomson Geer
Tel (03) 8080 3748 Fax _____
Email iquill@tqlaw.com.au
Address for service Level 23, Rialto South Tower, 525 Collins Street, Melbourne VIC 3000
(include state and postcode)

[Version 3 form approved 02/05/2019]



3. Within this affidavit, where I have referred to Video Material as "**Uncensored**", I mean that the Video Material is not edited to prevent viewers from seeing the stabbing, and also that no post-production video effect has been applied to the Video Material for the purpose of covering, concealing or blurring the depiction of Bishop Mar Mari Emmanuel being stabbed.

Internet Searches Undertaken

4. On 30 April 2024, I instructed Mr Jonathan Lin Wei Li, a graduate solicitor employed by Thomson Geer, to conduct internet searches using the search terms:
- (a) Sydney Church Stabbing;
 - (b) Mar Mari Emmanuel Stabbing; and
 - (c) Sydney Bishop Stabbing.
5. On 2 May 2024, Mr Li sent me an email, which summarised the steps he took in conducting the searches and provided me with a list of URL hyperlinks. Now presented to me and marked "**JHQ1**" is a true copy of the email from Mr Li to me dated 2 May 2024.
6. I was able to access Uncensored copies of the Video Material by clicking on the links using the following 26 URLs:

YouTube

- (a) YouTube is a video sharing platform.

i. [REDACTED]

(this hyperlink was uploaded on 16 April 2024 and at the time of swearing this affidavit, this hyperlink had 70,151 views)

ii. [REDACTED]

(this hyperlink was uploaded on 15 April 2024 and at the time of swearing this affidavit, this hyperlink had 45,048 views)

Instagram

- (b) Instagram is a photo and video sharing and social networking service.

i. [REDACTED]

(this hyper link was uploaded on 15 April 2024 and at the time of swearing this affidavit, this hyperlink had 39,300 views)

TikTok



(c) TikTok is a short-form video sharing social media platform that is very popular among members of generation Z.

i. [REDACTED]

(this hyperlink was uploaded on 30 April 2024 and at the time of swearing this affidavit, this hyperlink had 5,420 views)

Douyin

(d) Douyin is the Chinese version of TikTok and a video sharing social media platform.

i. [REDACTED]

(this hyperlink was uploaded on 16 April 2024 and although I cannot see how many views the hyperlink has had, I was able to ascertain that the account that posted the hyperlink has 1,862,000 'fans', which I understand to be a reference to the number of people who follow the account.)

ii. [REDACTED]

(this hyperlink was uploaded on 17 April 2024)

Telegram

(e) Telegram is one of the most popular messaging applications in the world, offering wide communication and group chats.

i. [REDACTED]

(this hyperlink was uploaded on 15 April 2024 and at the time of swearing this affidavit, this hyperlink had 219,000 views)

Yandex

(f) Yandex is one of the largest search engine and internet service providers. I understand that it is colloquially known as Russian Google

i. [REDACTED]

(this hyperlink was uploaded on 15 April 2024)

ii. [REDACTED]

(this hyperlink was uploaded on 16 April 2024)

Odysee

(g) Odysee is a video sharing platform similar to YouTube.

i. [REDACTED]

(this hyperlink was uploaded on 24 April 2024)



ii. [REDACTED]

(this hyperlink was uploaded on 16 April 2024)

iii. [REDACTED]

[REDACTED]

(this hyperlink was uploaded on 16 April 2024)

iv. [REDACTED]

[REDACTED]

(this hyperlink was uploaded on 19 April 2024)

v. [REDACTED]

(this hyperlink was uploaded on 15 April 2024)

9Gag

(h) 9Gag is a social media platform for sharing content in video and still image form, and may include text overlays. The content on 9Gag is designed to be copied and shared rapidly amongst users.

i. [REDACTED]

[REDACTED]

(this hyperlink was uploaded on 15 April 2024)

ii. [REDACTED]

[REDACTED]

(this hyperlink was uploaded on 16 April 2024)

iii. [REDACTED]

(this hyperlink was uploaded on 19 April 2024)

Rumble

(i) Rumble is a video sharing platform similar to YouTube that focuses on independent creators and news content

i. [REDACTED]

[REDACTED]

(this hyperlink was uploaded on 16 April 2024)

ii. [REDACTED]

[REDACTED]

(this hyperlink was uploaded on 19 April 2024)

VK.com

(j) VK.com is a popular social media platform similar to Facebook. This service is colloquially known as Russian Facebook.

i. [REDACTED]

(this hyperlink was uploaded on 16 April 2024 and at the time of swearing this affidavit, this hyperlink had 44,700 views)

ii. [REDACTED]

(this hyperlink was uploaded on 16 April 2024)

BitChute

(k) BitChute is a popular video hosting platform similar to YouTube with a focus on free speech.

i. [REDACTED]

(this hyperlink was uploaded on 16 April 2024)

Gettr

(l) Gettr is a social media platform known for its focus on free speech and political discourse.

i. [REDACTED]

(this hyperlink was uploaded on 16 April 2024)

WeChat

(m) WeChat is a Chinese multi-purpose messaging platform, social media platform, and mobile payment app.

i. [REDACTED]

(this hyperlink was uploaded on 15 April 2024)

Reddit

(n) Reddit is a vast online platform where user can share videos, images and news and discuss a wide range of topics in specialised communities called subreddits

i. [REDACTED]
[REDACTED]

(this hyperlink was uploaded on 16 April 2024)



ii. [REDACTED] g

(this hyperlink was uploaded on 18 April 2024)

Review of Uncensored Video Material

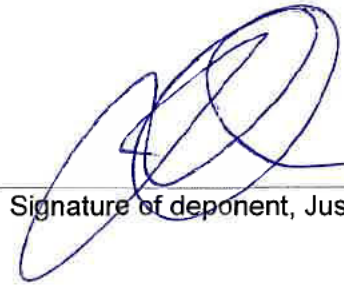
7. On 2 May 2024, I viewed each of the links detailed in paragraph 6. I did so without the use of a VPN. The Video Material was Uncensored.

Affirmed by the deponent
at Melbourne
in Victoria
on 2 May 2024
Before me:



Signature of witness
Jessie Gabrielle Nygh

of 525 Collins Street, Melbourne being an Australian Legal Practitioner within the meaning of the *Legal Profession Uniform Law 2015* (Vic).



Signature of deponent, Justin Healy Quill

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

ESAFETY COMMISSIONER

Applicant

X CORP.

Respondents

CERTIFICATE IDENTIFYING ANNEXURE

This is the annexure marked "**JHQ1**" now produced and shown to Justin Healy Quill at the time of swearing that person's affidavit on 02 May 2024:



Signature of witness
Jessie Gabrielle Nygh

of 525 Collins Street, Melbourne being an Australian Legal Practitioner within the meaning of the *Legal Profession Uniform Law 2015 (Vic)*.

JHQ1- copy of the email from Jonathan Li to Justin Quill dated 2 May 2024.

Quill, Justin

From: Li, Jonathan
Sent: Thursday, 2 May 2024 2:14 PM
To: Quill, Justin
Subject: X - Findings from Online Search [TGLAW-Legal.FID4138215]

Hi Justin

Instructions

You have asked me to conduct internet searches on various websites and online platforms to see if the live stream footage from 15 April 2024 is accessible.

Summary

Between 30 April and 2 May I have been looking on websites and online platforms for videos which depict the stabbing of Bishop Mar Mari Emmanuel on 15 April 2024.

I have kept track of my time, and can say that I have spent approximately 8 hours on this task.

I have reviewed 26 instances of the stabbing video online. None of these videos have any form of censorship or blurring/pixilation applied.

I have screenshotted all these websites and platforms containing these uncensored videos and saved them.

Searches

Where the websites/online platforms were in English, the search parameters I used to obtain these videos were:

1. Sydney Church Stabbing
2. Mar Mari Emmanuel Stabbing
3. Sydney Bishop Stabbing

Where the websites/online platforms were in Chinese, I used Google Translate to input the above search phrases.

Where the websites/online platforms were in Russian, I obtained the help of Nikita Sosnik, a Law Graduate who speaks Russian, to help input the above search phrases.

The websites I checked were:

1. Google
2. Instagram
3. Reddit
4. YouTube
5. DuckDuckGo (a popular search engine alternative to Google)
6. Dailymotion
7. Telegram
8. Douyin (this is the Chinese equivalent to Tik Tok)
9. Yandex (this is a Russian search engine similar to Google)
10. Odysee (similar to Youtube)
11. 9Gag (social media site used to share memes and funny video clips)
12. Rumble (similar to Youtube)
13. VK (similar to Facebook)
14. Gettr (similar to TikTok/Instagram)
15. WeChat (like Chinese Whatsapp)

Please find below a table which summarises my findings.

I am very confident that if I were to search for longer or on different platforms I would be able to find further examples of where the video is available to be viewed in Australia without a VPN.

I have included the hyperlink to each of the videos. Let me know if you need a login for any of the sites, for example, I used my Reddit account to access those videos. Otherwise, if you type 'old' in front of the Reddit URL you can access the videos without an account.

Thanks

Jonathan

#	Website/Platform	Link	Date	Video Length	Date & Time Accessed
1.	Bitchute - decentralized video hosting platform	[REDACTED]	16 April 2024	6 minutes 47 seconds	30 April 2024 20:09
2.	Dailymotion - Doingbuzz.com	[REDACTED]	15 April 2024	11 seconds	30 April 2024 18:18
3.	TikTok - @mixedclips	[REDACTED]	29 April 2024	Unknown (less than 1 minute)	1 May 2024 12:52
4.	Reddit - r/AskMiddleEast	[REDACTED]	16 April 2024	11 seconds	30 April 2024 18:34
5.	Reddit - r/TimPool	[REDACTED]	17 April 2024	11 seconds	30 April 2024 18:36
6.	Instagram - @halja	[REDACTED]	15 April 2024	Unknown	1 May 2024 13:47
7.	9GAG - Comment by plutoniumalf Original Post Title: Another stabbing incident at a church in Sydney, Australia	Comment with video: [REDACTED]	15 April 2024	Unknown	30 April 2024 18:38
8.	9GAG - Comment by plutoniumalf Original Post Title: It's happening again	Comment with Video: [REDACTED]	16 April 2024	Unknown	30 April 2024 18:44
9.	9GAG - Latest News	[REDACTED]	19 April 2024	15 seconds	30 April 2024 18:47
10.	Rumble - F5Tornado	[REDACTED]		11 seconds	30 April 2024 17:47
11.	Rumble - WatchmanForTruth	[REDACTED]		5 minutes 53 seconds	30 April 2024 17:50
12.	YouTube - The Free Press Journal	[REDACTED]	16 April 2024	2 minutes 44 seconds	30 April 2024 18:49:59
13.	Douyin (Chinese TikTok) - @Chinese Business News (Translated)	[REDACTED]	16 April 2024	13 seconds	30 April 2024 19:08
14.	Douyin (Chinese TikTok) - @All Your Wishes Come True (Translated)	[REDACTED]	17 April 2024	1 minute 54 seconds	30 April 2024 19:14
15.	Odysee - @NostradaMart:7	[REDACTED]	24 April 2024	20 minutes 44 seconds	30 April 2024 17:58
16.	Odysee - @keneci	[REDACTED]	16 April 2024	1 minute 39 seconds	30 April 2024 18:01

17.	Odysee - @CreepersStatus:f	[REDACTED]	16 April 2024	6 minutes 37 seconds	30 April 2024 18:04
18.	Odysee - @telosbound:c	[REDACTED]	19 April 2024	52 seconds	30 April 2024 18:06
19.	Odysee - @MickeHagenbo:9	[REDACTED]	15 April 2024	11 seconds	30 April 2024 18:09
20.	Getter (Main Twitter Alternative) - @pdkhov	[REDACTED]	16 April 2024	11 seconds	30 April 2024 21:24
21.	Vkontakte (Main Russian Facebook alternative)	[REDACTED]	16 April 2024	10 seconds	30 April 2024 21:47
22.	Yandex (Russian Google)	[REDACTED]	15 April 2024	11 seconds	1 May 2024 12:07
23.	Yandex (Russian Google) - ntv.ru	[REDACTED]	16 April 2024	11 seconds	1 May 2024 12:11
24.	Telegram (Major microblogging and chat platform, cross between Twitter and WhatsApp)	[REDACTED]	15 April 2024	12 seconds	1 May 2024 11:37
25.	Vkontakte (Main Russian Facebook alternative)	[REDACTED]	16 April 2024	10 Seconds	1 May 2024 12:20
26.	YouTube (Jesus the King)	[REDACTED]	18 April 2024	30 seconds	2 May 2024 12:54

Jonathan Li | Law Graduate

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