

## NOTICE OF FILING

### Details of Filing

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File Title:	ALEXANDER GREENWICH v MARK WILLIAM LATHAM
Registry:	NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



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

Registrar

### Important Information

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The date of the filing of the document is determined pursuant to the Court's Rules.

Form 59  
Rule 29.02(1)

## Affidavit

No. NSD 475 of 2023

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

**ALEXANDER HART GREENWICH**

Applicant

**MARK WILLIAM LATHAM**

Respondent

Affidavit of: **SARAH HANSON-YOUNG**

Address: [REDACTED]

Occupation: Senator

Date: Tuesday, February 20, 2024

I Sarah Hanson-Young, Senator, affirm:

- 1 The matters set out in this affidavit are based on my own knowledge, except where I have stated or qualified otherwise. Where I have set out recollections of conversations, I have included the effect of the words spoken as I recall them. All information contained in this affidavit is true to the best of my knowledge.
- 2 I am a Senator for South Australia in the Parliament of Australia (**Parliament**). I am a member of the Australian Greens political party and was first elected to the Senate in 2007. I was re-elected in 2013, 2016 and 2019.

### My relationship with the Applicant

- 3 I have known the Applicant, Alex Greenwich, for approximately 15 years.
- 4 My working relationship with Alex began in about 2009, when he was the Convenor of Australian Marriage Equality. We worked closely together on campaigns to support

Filed on behalf of (name & role of party) Alexander Greenwich, Plaintiff

Prepared by (name of person/lawyer) Nicholas Stewart, Partner

Law firm (if applicable) Dowson Turco Lawyers

Tel 02 8000 7300

Fax 02 9519 3022

Email gcl@dowsonturco.com.au

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(include state and postcode)

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the Supreme Court of South Australia

[Version 3 form approved 02/05/2019]

20/2/24

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marriage equality, including on the development of the *Marriage Equality Amendment Bill 2009* (Cth), which I introduced to Parliament on 24 June 2009.

- 5 I continued to work with Alex across state and federal politics following Alex's election to the New South Wales Parliament (**NSW Parliament**) in 2015.
- 6 Throughout the last 15 years, Alex and I have developed a close friendship; Alex spoke at my wedding in 2022 and both Alex and his husband Victor are dear friends of my family.
- 7 I would describe Alex as one of the most principled people I know. Throughout my relationship with Alex, I have come to consider him as someone with absolute integrity. I have witnessed his kindness, compassion, and resilience. Alex is constantly looking out for other people. His advocacy for assisting the terminally ill was driven from a deep sense of compassion, which Alex and I both share and have discussed on many occasions. Whenever I spend time with Alex, from what I observe he is constantly making sure people around him are feeling included and cared for.
- 8 Alex and I have had many conversations about his work assisting and advocating for the homeless community in his electorate. I have witnessed many times while out in Sydney with Alex, the level of care and compassion he shows to those who are vulnerable and doing it tough. Alex's genuine empathy and kindness towards often complete strangers has always struck me as setting him apart from many others in politics.
- 9 One of the things I have admired about Alex is his ability to work across the political divide and with people who may have different views to him. Based on my knowledge of the work Alex has achieved as a member of the Legislative Assembly in NSW, I believe Alex to be one of the few people in politics who is willing to approach his colleagues with an open mind, regardless of how they vote or their political party.

#### **Mr Latham's Tweet**

- 10 I recall that 30 March 2023 was a parliamentary sitting day, and I was at Parliament House in Canberra, ACT. I use the social media application Twitter (now known as "X" but referred to as "**Twitter**" in this affidavit) regularly as part of my role as a politician. It is a tool that I use to communicate with the public. My Twitter handle is "**@sarahinthesen8**".
- 11 As a Twitter user, I can publish posts, comment on other user's posts, "like" other user's posts and "retweet" other user's posts. Based on my use of Twitter, I understand that:

**JULIAN AMATO**

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- a. When a Twitter user opens the Twitter application they can see a “feed”, which contains posts from other Twitter users.
  - b. When a user “retweets” another user’s post, that post is shared on the second user’s Twitter feed.
- 12 On the afternoon of 30 March 2023, while I was sitting in the Senate chamber, I opened my Twitter account and saw in my feed a tweet published by Mark Latham under his Twitter handle @RealMarkLatham (**the Primary Tweet**).
- 13 Annexed and marked “SH-Y1” is a copy of the Primary Tweet.
- 14 The Primary Tweet had been shared by several other Twitter users. I remember seeing the Primary Tweet linked directly to a comment from Alex in a Sydney Morning Herald article and knew immediately Mr Latham’s graphic tweet was about Alex. I also recall seeing a number of journalists and other Twitter users referring to Alex when reporting on the Primary Tweet.
- 15 After I read the Primary Tweet, I started to see news reports online about the Primary Tweet. I do not now remember the headlines of the articles but I remember the headlines were to the effect that Mr Latham had posted a tweet attacking Alex Greenwich.
- 16 My reaction to the Primary Tweet was two-fold:
- a. My immediate reaction was quite visceral; I felt nauseous and sick to my stomach. I thought the Primary Tweet was extremely homophobic and graphic, and felt that it painted Alex in an unsavoury, disgusting light. It conjured images in my mind of a graphic and unsavoury kind and I felt awful for even imagining those things. I had visions of penises covered in faeces and violent sex involving faeces. I felt awful because I don’t like thinking about such perverted activities. My knowledge and understanding of Alex’s relationship is one of love and care and affection, not one of violent erotica or dirty sexual practices. I thought the Primary Tweet was hurtful, offensive, and harmful.
  - b. My secondary reaction was one of intense sadness. My heart broke for Alex. I recalled my own experiences in Parliament being erroneously (and maliciously) labelled a misandrist and a woman who indiscriminately sleeps with men, and I became concerned that the Primary Tweet was going to unleash a whole lot of homophobic hate, vitriol, abuse and bullying towards Alex. I worried that the

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Primary Tweet would have the effect of granting a license for others to attack Alex for his sexuality.

- 17 A short time after I read the Primary Tweet and started to see news reports about it, I emerged from the Senate chamber and walked back to my office. I arrived to find a group of parliamentary staff discussing the Primary Tweet from Mr Latham about Alex. One of my staff, Karina Natt, said when referring to the Primary Tweet, "*It's blown up*". I interpreted Ms Natt to mean that the Primary Tweet was being reported across the media. This made me realise that the tweet was going to be a significant news story and I was worried about Alex, as a friend.

#### **My communications to the Applicant following the Primary Tweet**

- 18 Later that afternoon when I returned to my office, I sent Alex a text message at about 3:19pm, which said, "*Fucking hell. Latham is a disgusting human being. I'm so sorry. Hope you're ok xxxxx*". Annexed and marked "SH-Y2" is a copy of that text message.
- 19 The next day on about 31 March 2023, I had a telephone call with Alex. I don't recall the exact words of our conversation, but the gist of the discussion was that Alex was shocked by how hurtful the Primary Tweet was and how it had impacted him on a deeply personal level. I felt sad for Alex. I reflected on my own personal experiences as a politician in the public eye, and my knowledge of Alex's personality and thought that it must be hard for him to admit that he was feeling vulnerable and hurt, particularly when he is usually the one advocating for others.

#### **The Daily Telegraph article**

- 20 A few days later, I recall reading Mark Latham's "*Boo-hoo*" comments published in the Daily Telegraph. A copy of the article I read in The Daily Telegraph is annexed and marked "SH-Y3".
- 21 When I read that article, I felt extremely disappointed, particularly by Mr Latham's refusal to apologise to Alex. I interpreted the comments from Mr Latham referred to in the article to be effectively a repeat, in different words, of the vile Primary Tweet. That is because, in my view, these comments of Mr Latham were a double down on the homophobia and hatred he had spread by publishing the tweet. In my view Mr Latham is suggesting in his comments to the Daily Telegraph that Alex's homosexuality is disgusting and harmful to children.

JULIAN AMATO

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 22 I have been the applicant in defamation proceedings against a former politician. Mr Latham's comments reminded me of the way in which the respondent in my own

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defamation case had acted, and when I read the article published in The Daily Telegraph, my immediate thoughts about Mr Latham were, *"He's doubling down and trying to bully Alex into silence"*.

**Further communications with the Applicant following the publications**

- 23 On about 3 May 2023, I met up with Alex for dinner in Sydney. I recall that the conversation over dinner was largely consumed by discussion about Mark Latham's publications and the impact it was having on Alex and his family.
- 24 During the dinner, I observed that Alex appeared visibly upset. He was subdued and was not his normal outgoing, happy self. I don't recall the exact words said, but I understood from our conversation that, as I had feared, Alex had become the subject of intense abuse, bullying, and threats from the public, including communications sent to him and his Electorate Office staff and online. I felt horrible that Alex was subject to this vitriol and that his personal life was being targeted. I also understood from our conversation that Alex was very upset about the impact on his husband, Victor.
- 25 Since 3 May 2023 Alex and I have had regular catch up because we are close friends. We have spoken a lot about this incident many times. But the impact on Alex of Mr Latham's publications is evident to me on each occasion I see Alex. My observation of Alex's discussions with me is that Alex feels under attack because he has been abused and harassed on social media, significantly, since the Primary Tweet and his electorate office has been sent a barrage of hate mail, hateful emails and hateful phone calls. Alex has often said to me that he feels that Mr Latham's conduct in publishing the Primary Tweet - and making follow up comments about the contents of the Primary Tweet, gave a licence for others to abuse and harass Alex. Alex has said to me repeatedly (and I agree) that he is a public figure and wants to demonstrate to Australians that this type of conduct from Mr Latham is not appropriate. My observations of Alex since the publication of the Primary Tweet and Mr Latham's follow up comments is that the publications have taken a personal toll on Alex because he is not only genuinely hurt by nature of the publications, but the publications have given rise to hateful attacks directed at Alex, both online and through email, telephone and post.

JULIAN AMATO

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Affirmed by the deponent  
at Adelaide  
in South Australia  
on 20 February 2024  
Before me:

)  
)  
)  
)  
)

Signature of deponent

Signature of witness

Julian Amato, Lawyer of the South Australian Supreme Court and solicitor on the roll of the High Court of Australia

JULIAN AMATO  
A Commissioner for taking Affidavits in  
the Supreme Court of South Australia

## Exhibit certificate

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

No. NSD 475 of 2023

**Alexander Hart Greenwich**

Applicant


**Mark William Latham**

Respondent

This is the exhibit marked "**SHY-1**" now produced and shown to Sarah Hanson-Young at the time of swearing her affidavit on 20 February 2024 before me:

  
Solicitor

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Susan Metcalfe  @susana · 22/3/2023

"Mark Latham is a disgusting human being and people who are considering voting for One Nation need to realise they are voting for an extremely hateful and dangerous individual who risks causing a great deal of damage to our state" - Alex Greenwich



[Watch video](#)

Video shows LGBTQ protesters pleading for help outside Mark Latham event

🗨️ 23

🔗 3

❤️ 11

👁️ 4,277



**Real Mark Latham**

@RealMarkLatham

Disgusting?

How does that compare with sticking your dick up a bloke's arse and covering it with shit?

🗨️ 13 · 🗓️ 30/3/2023 · 6,171 views



## Exhibit certificate

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

No. NSD 475 of 2023

**Alexander Hart Greenwich**

Applicant

**Mark William Latham**

Respondent

This is the exhibit marked "**SHY-2**" now produced and shown to Sarah Hanson-Young at the time of swearing her affidavit on 20 February 2024 before me:



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1:07

4G 36



Sarah >



Thu, 30 Mar at 3:19 pm

Fucking hell. Latham is a disgusting human being. I'm so sorry. Hope you're ok xxxxx

10

Text Message

## Exhibit certificate

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

No. NSD 475 of 2023

**Alexander Hart Greenwich**

Applicant

**Mark William Latham**

Respondent

This is the exhibit marked "**SHY-3**" now produced and shown to Sarah Hanson-Young at the time of swearing her affidavit on 20 February 2024 before me:

A handwritten signature in black ink, appearing to read 'Julian Amato', is written over a horizontal line.

Solicitor

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the Supreme Court of South Australia

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UPDATED

# Mark Latham doubles down after outcry over his homophobic tweet

A defiant Mark Latham has returned to Twitter to decry “alphabet ideology” after breaking his silence about a homophobic slur he tweeted, and then deleted, about a Sydney gay MP. Read his response.



Linda Silmalis   Follow

@LindaSilmalis   7 min read   April 1, 2023 - 1:38PM

The Saturday Telegraph   46 comments

## NSW

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A defiant Mark Latham on Saturday doubled down on his decision to tweet a homophobic slur about fellow MP Alex Greenwich — declaring “boo hoo” — before later taking to Twitter to slam “alphabet ideology” and woke” media.

The controversial NSW One Nation MP stood by his original Twitter post, saying that insults can often “come back at you harder and truer”.

Mr Latham made the original Twitter post on Thursday in response to reports about a violent protest outside a church he had spoken at during the NSW election campaign.

It came after a comment by independent MP Alex Greenwich branding Mr Latham a “disgusting human being” who posed a risk to NSW.

Mr Latham's explicit tweet — which remained online for about three hours before it was deleted — prompted One Nation boss Pauline Hanson to demand he apologise.



One Nation MP Mark Latham. Picture: Julian Andrews

Labor's Upper House leader Penny Sharpe also condemned the tweet, saying she was “physically sickened” by it, and Equity Australia labelled them as “disgusting comments unbecoming of a member of parliament” which should be retracted.

Mark Latham remained silent on Friday, except for a tweet about former US president Donald Trump which said “never apologise, never explain” and was quickly deleted.



On Saturday, in a statement to The Saturday Telegraph, he said: "Sometimes in public life when you throw out insults they come back at you harder and truer ... So boo-hoo Alex Greenwich."

"When he calls someone a disgusting human being for attending a meeting in a church hall, maybe attention will turn to some of his habits."

As for why he deleted the post, Mr Latham said: "Greenwich goes into schools talking to kids about being gay.

"I didn't want to be accused of anything similar, leaving that kind of content on my socials."

On Saturday morning, in response to the latest comments, Mr Greenwich said it was clear Mr Latham was unfit for office.

"@Mr Latham is clearly unfit for office and I hope he gets the help he needs," he said

"I'm sure the public and a majority of my parliamentary colleagues share this opinion, especially following his vile homophobic and sexualised attacks at me, his transphobic views and the violence directed at the LGBTQ community at the Belfield rally. "

## **LATHAM's FRIDAY TWEET**

14

Mark Latham has made his first tweet since posting a homophobic tweet about a gay MP, with another quickly deleted social post suggesting he will “never apologise, never explain”.

The controversial NSW One Nation leader fired back on Thursday when independent MP Alex Greenwich said he was “disgusting human being”.

Mr Latham replied on Twitter with a homophobic tweet, which The Telegraph is choosing not to share due to its offensive nature.

The outspoken politician was widely panned for his remark and his One Nation boss Pauline Hanson demanded he apologise and new Premier Chris Minns labelling him a bigot.

But Mr Latham looks unlikely to do so.

He appeared to break his silence on the matter on Friday evening, linking to an article from 2019 about Donald Trump on how leaders should “never apologise, never explain”.

Mr Greenwich hit back at Mr Latham with a classy response on Thursday evening.

He posted a picture of himself alongside his husband on Twitter and wrote: "For those wondering how I'm doing after Latham's homophobic attacks today, I'm fine and I'm more motivated than ever to deliver long overdue LGBTIQ+ reforms ... and I have the most handsome husband."

Mr Latham's tweet remained online for around three hours before it was deleted.

## PREMIER LABELS LATHAM A 'BIGOT'

Newly-installed Premier Chris Minns has blasted NSW One Nation Leader Mark Latham as a "bigot" over a homophobic tweet targeted at NSW MP Alex Greenwich.

Mr Minns confirmed he had spoke to Mr Greenwich on Friday morning and described him as "someone of character".

When asked about Mr Latham's comments, Mr Minns was blunt in his response.

"I think that they're vile and shameful comments, and I think he's revealed himself to be a bigot," said Mr Minns speaking at Friday's Lifeline International President's Lunch.

"He's an independent who is extraordinarily effective, and manages to elevate the conversation and make major changes in the state.

"One of the things that can't be forgotten is that comments like his, even though in and of themselves they're terrible, they unleash ghouls on people and on a person like Alex."





Premier Chris Minns unequivocally denounced the words of NSW One Nation Leader, Mark Latham. Picture: NCA Newswire

Mr Minns also acknowledged that members of the LGBTQ+ community are two-and-a-half-times more likely to seek urgent medical help as a result of a mental health condition, which also motivated to speak out against Mr Latham's comments.

"They need support from the leadership of NSW and it should be an unambiguous and universal condemnation of these comments," he said.

### **'I FEEL HURT': ALEX GREENWICH RESPONDS**

A Sydney MP who was the target of a homophobic tweet by Mark Latham has said he doesn't expect parliament to take action against the One Nation leader, while condemning his comments as being from an unwell man.

MP Alex Greenwich and gay-rights campaigner said he hoped Latham was "doing okay" when speaking to the media earlier on Friday.

"I hope he has support around him, I hope that his friends and family are checking in on him," Mr Greenwich said.

"I felt a great deal of hurt from them.

"I know that these are not the comments of a well person, of a reasonable person."

The Daily Telegraph has chosen not to disclose the contents of the tweet due to its offensive nature.





Sydney MP Alex Greenwch. Picture: NCA NewsWire / Damian Shaw



One Nation Leader Mark Latham has been criticised for his tweet. Picture: Lisa Maree Williams/Getty Images

The One Nation leader has gone to ground and not been heard from since deleting the tweet on Thursday.



Mr Greenwich, who had a "bit of cry" after the incident, said while he didn't expect parliament to take action against Latham he did want the LGBTIQ community to feel protected.

"I'm not asking for anything else than our parliament saying we don't support discrimination against the LGBT community. We don't support harassment and what we are going to do is pass laws to protect them," he said.

"Being LGBT shouldn't make you a political target."

Mr Greenwich said he had been encouraged by the words of his colleagues in their bid to support him, but didn't appreciate Pauline Hanson calling for an apology.

"I'm less encouraged by the words of Pauline Hanson, we know just last week she sought to pass a motion attacking the trans community," Mr Greenwich said.

"Pauline Hanson, Mark Latham, One Nation they are a group of people who target minorities one by one and don't care about the harm they cause."

## HANSON CALLS FOR LATHAM TO APOLOGISE

One Nation Leader Pauline Hanson has slammed her party's NSW leader Mark Latham over "disgusting" comments on social media.

Ms Hanson called on Mr Latham to apologise for a homophobic tweet directed at Sydney MP and gay-rights campaigner Alex Greenwich sent on Thursday morning, and which has since been deleted.



One Nation Leader Mark Latham has been criticised for his tweet.

The Daily Telegraph has chosen not to disclose the contents of the tweet due to its offensive nature.

In a video statement, Ms Hanson said that neither she or her party condoned the comments.

"I think they are disgusting. I've actually tried ring Mark a couple of times, to no avail," she said.



One Nation party leader Pauline Hanson has called on Mark Latham to apologise.

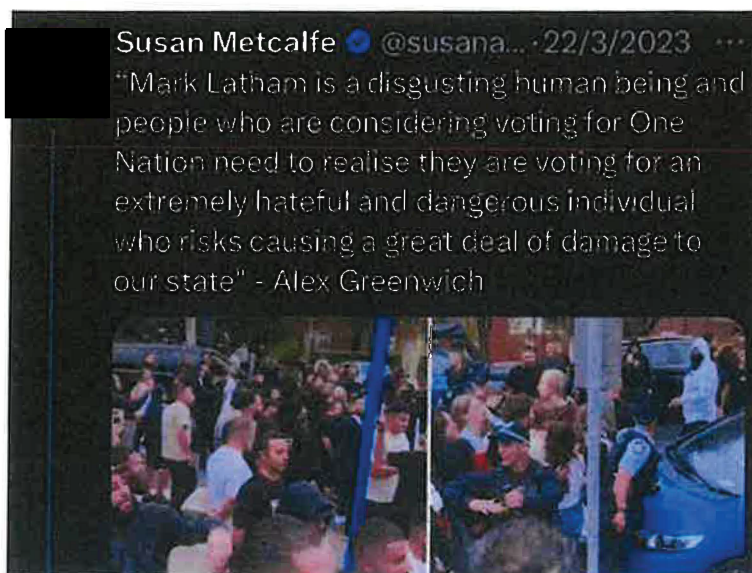
Ms Hanson called on Mr Latham to apologise.

Labor's Upper House leader Penny Sharpe also condemned the tweet, calling on Mr Latham to apologise immediately.

"I was physically sickened by that tweet," Ms Sharpe said.

"Homophobia is always unacceptable and there is never an excuse. Mr Latham

Homophobia is always unacceptable and there is never an excuse. Mr Latham should apologise to Alex Greenwich immediately."



Mr Latham was replying to this tweet by fellow MP Alex Greenwich.

Mr Latham was also criticised by Equality Australia for his comments.

"They were disgusting comments unbecoming of a member of parliament, he should apologise and retract those comments," Equality Australia legal director Ghassan Kassisieh said.

"The best way for parliament to respond is to now get on with the job of removing discrimination against LGBTI people in our laws."

Mr Latham was responding to Mr Greenwich calling him a "disgusting human being," after [violence erupted outside a church in Belfield](#) last week where Mr Latham was speaking.

The tweet was one of a series of posts from Mr Latham about the incident.

In one tweet, Mr Latham took aim at “Alphabet freaks and weirdos seeking to blockade a suburban church, break crucifixes and burn them were looking for trouble”.

The violence — in which a police officer was taken to hospital after being attacked — was sparked as protesters disrupted a forum hosted by state MP Mark Latham on parental rights and religious freedom.

A spokesman for the parish said the violence appeared to start after the group protesting Mr Latham’s views on transgender rights allegedly broke a crucifix.

Asked about Mr Latham’s tweet, Mr Greenwich said: “I understand this tweet has been taken down, and I don’t intend to engage with the matter further”.

“My focus in the parliament will be working with the majority of members who support the LGBTQ community to progress important reforms.”

Mr Latham did not respond to a request for comment.

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It comes after The Australian reported that Mr Latham is due to face court next month after the MP was detected using his phone while driving.

In another tweet on Thursday, Mr Latham said President Barack Obama was “the ultimate whore” for charging up to \$900 for tickets to a speaking tour.

Mr Latham was re-elected to the NSW Senate for another eight years on Saturday, with his number two candidate Tania Mihailuk also set to join one nation in the upper house.

However the party failed to make any major gains compared with its vote at the previous election.

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#### More Coverage

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