

## **NOTICE OF FILING**

### **Details of Filing**

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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. NSD372 of 2023

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

### MEHREEN FARUQI

Applicant

### PAULINE HANSON

Respondent

Affidavit of: **Sana Ashraf**  
Address: [REDACTED]  
Occupation: Public Servant  
Date: 3 October 2023

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I, Sana Ashraf, public servant, of [REDACTED] affirm:

- I am not a party to this proceeding.
- I am a witness on behalf of the Applicant, Senator Mehreen Faruqi, in these proceedings.
- Unless otherwise indicated, I make this affidavit on my own knowledge, information and belief. Where I depose to matters on information and belief, I believe those matters to be true.

Filed on behalf of (name & role of party) Mehreen Faruqi, Applicant  
Prepared by (name of person/lawyer) Michael Bradley  
Law firm (if applicable) Marque Lawyers  
Tel (02) 8216 3000 Fax (02) 8216 3001  
Email [michaelb@marquelawyers.com.au](mailto:michaelb@marquelawyers.com.au); [laureng@marquelawyers.com.au](mailto:laureng@marquelawyers.com.au)  
**Address for service** Level 4, 343 George Street  
(include state and postcode) Sydney NSW 200

[Version 3 form approved 02/05/2019]

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*Sana Ashraf*

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*M Farrugia*

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**CB176**

**Personal background**

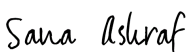
4. On 17 May 1990, I was born in Pakistan.
5. In 2015, I migrated to Australia by myself to study a PhD at the Australian National University (ANU). I completed my PhD in 2019. .
6. As part of completing my PhD at ANU, I travelled to Pakistan in 2016 and 2017 to conduct the research component of my PhD. I have otherwise lived in Australia since migrating here in 2015.
7. I married an Australian man in 2019 and I became an Australian citizen in June 2023.


**Court proceedings**

8. I am aware that on 9 September 2022, Senator Pauline Hanson published a tweet to her public Twitter profile '@paulinehansonoz' which said "*Your attitude appalls [sic] and disgusts me. When you immigrated to Australia you took every advantage of this country. You took citizenship, bought multiple homes, and a job in a parliament. It's clear you're not happy, so pack your bags and piss off back to Pakistan. -PH*".
9. I do not recall exactly how I became aware of this tweet. I believe it is likely that I saw a screenshot of it on social media (either on LinkedIn or Instagram) and that this occurred in the week following the Queen's death. I have based this belief on the fact that I am active on LinkedIn and Instagram and I follow Senator Faruqi on those social media platforms. I recall that the Queen's death was fresh in my mind when I first became aware of Senator Hanson's tweet.
10. At paragraphs 15 to 17 of this affidavit, I have outlined my reaction and experiences after reading Senator Hanson's tweet.
11. I became aware of the fact that Senator Faruqi had commenced these court proceedings against Senator Hanson through media reporting, although I cannot recall the exact source. On or around 20 June 2023, I saw that Senator Faruqi had posted a link to an online survey and had requested that individuals complete the survey if they would like to. I am not certain on which social media platform I saw this post, but it would have been on Senator Faruqi's LinkedIn or Instagram.
12. I completed the survey on 20 June 2023, by responding to each of the questions and then clicking 'Submit'. A copy of my response to the online survey is annexed to this affidavit at **page 6 and marked "SA-1"**.
13. I completed the online survey because I felt it was important to have the feelings I experienced in the weeks after Senator Hanson's tweet was posted to be recorded. I wanted the impact of Senator Hanson's tweet on me to be understood.
14. The online survey asked me to, amongst other things, describe the impact that Senator Hanson's tweet had on me and asked me to describe my experiences with racism in Australia. I have elaborated on my responses to these questions at paragraph 17 below.

**Impact of Senator Hanson's tweet**

15. When I read Senator Hanson's tweet, I understood it to mean that Senator Hanson was telling Senator Faruqi to go back to Pakistan (i.e. to go back to where she comes from).

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16. In my view, the use of the words “piss off back to Pakistan” in Senator Hanson’s tweet is the same as telling someone to go back to where they come from, but the expression is stronger and said with more force, hatred and intolerance. I interpret this part of Senator Hanson’s tweet as Senator Hanson telling Senator Faruqi she was not even willing to tolerate her continued existence in Australia.
17. In my response to the online survey, I indicated that I felt offended, humiliated, insulted and intimidated by Senator Hanson’s tweet. I selected these options because:
- (a) I felt offended because of the language used in Senator Hanson’s tweet and in particular, the phrase “pack your bags and piss off back to Pakistan”. This language is offensive and clearly not polite. The tweet is dismissive of Senator Faruqi’s existence as an Australian citizen because the language makes clear that Senator Hanson does not believe Senator Faruqi has the right to live in Australia, which I find offensive as a migrant to Australia.
  - (b) I felt insulted and humiliated because the language used in the tweet was being directed towards Senator Faruqi, who is also a migrant from Pakistan like me. As explained at paragraph 19 below, I have also been the subject of similar comments to those included in Senator Hanson’s tweet and because of my history, which made me feel that racism is prevalent in Australian society. I felt that Senator Hanson’s tweet expressed what I have experienced to be a popular sentiment amongst some Australians (see paragraphs 18 to 22 below), which is that I am not truly accepted because of my migrant heritage and that it is not acceptable for me to share any opinion about life in Australia which is not positive. I felt as though I can only be accepted as an Australian citizen on a conditional basis – as long as I am grateful for the fact that I live in Australia, I will be liked and accepted.
  - (c) I felt intimidated by Senator Hanson’s tweet for several reasons. Firstly, I felt that as a migrant, I do not enjoy the same rights to freedom of thought and expression as those who were born in Australia. Because of her tweet, I felt that I am not able to participate fully and freely in political and societal discussions about racism. Because I have a background in critical thinking and have written a book about freedom of speech in Pakistan, feeling as though I do not have the right to share my opinions in my home country (whether it be Pakistan or Australia) is intimidating to me.

### Personal experiences in Australia

18. Since migrating to Australia in 2015, I have experienced direct and indirect forms of racism.
19. One of the most vivid examples of direct racism that I can recall happened in or around September 2020. At this time, I was living in an apartment complex in O’Connor, ACT, and was taking photos of trees flowering in the communal garden. A man who I knew also lived in the apartment complex (because I had seen him around the building before) started yelling at me and saying words to the effect of, “*you’re trespassing! What are you doing here? You’re not meant to be here! Go away!*”. The man was tall and was of Caucasian appearance. I recall feeling shocked and physically scared when this happened and I exited the garden as quickly as I could because I was worried about what this man might do if I stayed in the garden. Because I lived in the apartment complex at the time, I had a clear right to be in the garden. I cannot think of any explanation for this man’s conduct, other than he incorrectly identified me as a non-resident, based on my physical appearance.
20. I have also experienced negative reactions when raising issues about racism in Australia in my personal life. For example:

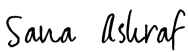
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- (a) when I have posted negative views about certain aspects of life in Australia on social media, I have been shut down and felt that there was no room for me to express my opinion. For example, around the same time that Senator Hanson posted her tweet, I recall that I shared posts on my personal Facebook page about the ongoing impacts of colonialism on people around the world and included my own comments in support of this view. I received comments criticising me for making these comments at that time. Although I did not agree with these comments, I deleted my posts because I did not want to engage in conflict on social media; and
- (b) when I am interacting with people from a white background, I find that I regularly self-censor and do not express my true opinions on topics which may be critical of life in Australia. I believe that this is because I do not feel comfortable expressing my true opinions on problems which I have observed since moving to Australia because I am concerned that I would be deemed ungrateful as a migrant and seen as an outsider criticising something I have no right to comment on. .
21. My experience of racism in Australia has at times been very subtle. The best example I can think of to explain how racism is often directed towards me in an indirect way is to reflect on the fact that I have felt more accepted as an Australian since marrying my husband (who is Australian and white). Since marrying my husband, I have noticed that people appear to give me more respect as his wife and I have noticed that I have at times been treated differently since we got married. For example, I find that people are generally friendlier to me, I get invited to more events, and I find that in general it is easier to have difficult discussions with neighbours or other people when I am with my husband.
22. I have also observed instances of indirect racism (not necessarily directed towards me) whilst working and studying at university in Australia. For example, when I was a PhD candidate, I observed certain topics of research being preferred, for example, there was generally more acceptance and support for people studying religious violence or social injustice in foreign countries (such as Pakistan) than for students wanting to study racial injustices in Australia. When I was teaching the subject "The History of Terrorism" to undergraduate students, I observed that some Australian students felt it was appropriate to make arguments justifying colonialism and associated violence openly during class. I found this shocking and these experiences led to my understanding of how deeply ingrained ideas about white and western superiority are in Australia.

### Impact of my personal experiences

23. Since migrating to Australia, I have noticed that the direct and indirect experiences of racism which I have provided examples of above have impacted me personally. Examples of the types of impact which I have noticed and which I attribute to living in Australia are outlined below.
- (a) I do not approach individuals who look Caucasian by myself in any situation which may appear to be confrontational. For example, as a brown woman, I did not feel comfortable approaching my male neighbours (who are of Caucasian appearance) and asking them not to park in front of our house by myself. I have instead asked my husband to come with me on these occasions and to start the conversations with my neighbours.
- (b) I have noticed that I will self-censor and avoid bringing up controversial issues and sharing my opinions on things like racism. It is easier for me to be liked and get along with people when I do not make negative comments about living in Australia.

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- (c) I feel anxious where topics like racism come up in conversation or there is media reporting surrounding an issue of racism. For example, in the aftermath of the Queen's death last year and following Senator Hanson's tweet, I had to switch off from social media and remove myself from the debate. I did this to protect myself from seeing any further hateful comments like the comment directed to Senator Faruqi by Senator Hanson.

Affirmed by the deponent  
at Ngunnawal  
in Australian Capital Territory  
on 3 October 2023  
Before me:

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DocuSigned by:  
*Sana Asraf*

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Signature of deponent

DocuSigned by:  
*A Farrugia*

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Signature of witness

Andrea-Marie Farrugia  
Solicitor  
Marque Lawyers  
Level 4, 343 George Street  
Sydney NSW 2000

Form 59  
Rule 29.02(1)

No. NSD372 of 2023

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

**MEHREEN FARUQI**

Applicant

**PAULINE HANSON**

Respondent

**ANNEXURE SA-1**

This is the annexure marked "SA-1" referred to in the affidavit of Sana Ashraf affirmed 3 October 2023 before me:

DocuSigned by:  
  
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Andrea Farrugia  
Solicitor

Response ID: 696

Please provide your first name: Sana

Which of the following do you identify with? ["Person of colour", "Migrant to Australia"]

If you would like to, please describe how you identify:

What is the impact of the tweet on you (tick as many as apply)? ["I was offended", "I was insulted", "I was humiliated", "I was intimidated"]

Please describe the impact of the tweet on you: I felt shut down and intimidated that I am not allowed freedom of expression in my country (Australia). I felt I was not able to express my opinions critical of colonialism and what ongoing reverence of the British royalty means to people like me whose ancestors have been colonised and dispossessed by the same. I had to delete some of my own social media posts due to similar backlash, and felt that ordinary Australians were feeling encouraged by Pauline Hanson's words to curb any form of dissenting voice or opinion on the occasion. It felt suffocating. Once again. Having left Pakistan for very similar reasons (being policed for free thinking), I felt re-traumatised.

Have you ever been told to 'go back to where you came from' or words to that effect? Yes

If yes, please describe the impact this has had on you: It makes me feel I do not belong anywhere, not in Pakistan where I was born where people tell me to leave the country if I am not happy with the Islamist policies, and not in Australia where people tell me to leave if I am not happy with the racist policies.

In your reading of the tweet, what is the meaning of the phrase 'pack your bags and piss off back to Pakistan'? You are not welcome here, Australia does not allow you to be yourself, you must be grateful but not participate in any sort of civil or political discussion in the Australian democracy. You are not wanted and not accepted simply for the fact of where you were born or what you look like. You are less human than me.

Please provide further detail if you would like to:

Are you happy to be contacted about your responses to this form? Yes

If yes, please provide your contact number, email, and postcode if you are willing:

Number: [REDACTED]

Email: [REDACTED]

Postcode: 2913

Would you be willing to provide a statement about your responses to this form which may be used in the Court proceedings between Senator Mehreen Faruqi and Senator Pauline Hanson? Will have to check what I am allowed to do as a public servant in Australia

Would you be willing to give evidence in court about your responses to this form which may be used in the Court proceedings between Senator Mehreen Faruqi and Senator Pauline Hanson? Will have to check my obligations as a public servant

*You understand that by submitting this form, the information that you provide may be used in proceedings related to Senator Mehreen Faruqi's racial discrimination claim against Senator Pauline Hanson.*

By submitting this form, I consent to Marque Lawyers collecting my personal and sensitive information in accordance with its privacy policy ["Yes"]