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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, reading "Sia Lagos".

Registrar

### Important Information

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Form 59  
Rule 29.02(1)

## Affidavit

No. NSD475 of 2023

Federal Court of Australia

District Registry: Sydney, NSW

Division: Other Federal Jurisdiction – Defamation

**ALEXANDER HART GREENWICH**

Applicant

**MARK WILLIAM LATHAM**

Respondent

Affidavit of: **Victor Hoeld**

Address:

Occupation: Global Account Director (MBA)

Date: 27 February 2024

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I Victor Hoeld, Global Account Director (MBA),

affirm:

- 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

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

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

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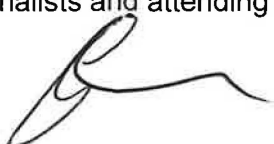
[Version 3 form approved 02/05/2019]




included the effect of words spoken as I recall them. All information contained in this affidavit is true to the best of my knowledge.

### **My relationship with the Applicant**

2. I am the husband of Alex Greenwich (**Alex**), the Applicant in these proceedings. We were married in Argentina in May 2012.
3. I first met Alex when I was about 26, at a social event in Sydney. We started dating about a year later in 2007.
4. I moved to Sydney from London in August 2006, at the time I was working as an Investment Banker in the M&A team at Citigroup. The move to Australia was an opportunity to develop my career and was meant to be a 12-month opportunity, but I met Alex and decided to stay.
5. At the time I met Alex, he was working in his family business, a recruitment company called Winning Attitudes Recruitment, as a managing director.
6. In 2007 I took a new role at UBS Investment Banking (**UBS**) in the Financial Services Mergers & Acquisitions team and became a permanent Australian resident the same year. I wanted to do this because I liked Alex, and our relationship was going well. My permanent residency was organised through UBS.
7. I recall thinking in 2007 that Alex and I would likely stay together, and I started planning my life around this. Alex and I both had our own places, but we moved in together in late 2007. I recall that at this time Alex was becoming more involved with Australian Marriage Equality, the peak advocacy group for marriage equality law reform.
8. Based on my observations of Alex's work, it appeared to me that Alex's progression to politics evolved through his work as a spokesperson for Australian Marriage Equality. In that role, Alex was on television often and I saw his public advocacy to be consistent with what I learned about Alex's strong convictions, namely that everyone deserves a fair go. Alex often says to me and has said to me since the beginning of our relationship words to the effect, "*Vic, I want everyone to have a fair go*".
9. Between about 2008 and 2012 Alex's work with Australian Marriage Equality took a lot of his time but was not a paid job. It consumed a lot of Alex's time but he stayed with the organisation while working in the family business.
10. I also became involved in Australian Marriage Equality by virtue of my relationship with Alex and this involved going to a lot of events and rallies with Alex, doing interviews with journalists and attending photo shoots for the cause. During this period, I recall dealing

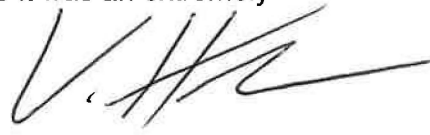


with many people opposed to marriage equality or the LGBTQ+ community. For example, during protest rallies I often saw and heard people yelling abusive anti-LGBTQ+ and anti-marriage equality rhetoric at us but I felt that this was not aimed at me personally, rather at the LGBTQ+ community more generally. Alex never said to me that he was personally affected or hurt by those in the community who loudly opposed marriage equality. Based on my observations of Alex at about this time, he did not appear to be discouraged or despondent after any interaction with a marriage equality opponent.

11. I recall that Alex became more engaged with political figures in the City of Sydney during 2011. He was friends with Clover Moore (**Clover**). The Premier in 2011 was Barry O'Farrell and I understood that he introduced legislation so that Clover could not continue to be the Mayor of the City of Sydney and the Member for Sydney in the NSW Parliament. I recall at the time that Alex described the Premier's actions in removing Clover from office as "*undemocratic*". In about early 2012, Alex told me that he began discussing the idea of becoming a politician with Clover and I recall him saying to me one night, words to the effect, "*Hey Vic, I am going to be endorsed by Clover to be the Member for Sydney*". I do not now remember my exact response, but I know I was supportive of Alex in this move.
12. Alex left his family company and I recall thinking that he would be sacrificing a successful commercial career for public life and a public service. Alex successfully ran for the seat of Sydney in October 2012.

#### **Mark Latham tweet**

13. I first became aware of Mark Latham when he entered the Legislative Council of NSW in about 2019. I never thought much about him before 30 March 2023.
14. On about 30 March 2023, Alex called me while I was at work and he was audibly distressed, his voice was shaking and sounded different to his usual upbeat tone. I do not now remember his exact words, but he told me about a tweet published by Mr Latham that suggested that Alex was disgusting because he engaged in what Mr Latham assumed was anal sex, which Mr Latham explicitly described in his tweet (**the Primary Tweet**). Later that day, when Alex and I got home, Alex showed me a screenshot of the Primary Tweet on his phone.
15. I was shocked. I could not believe that anyone let alone a politician like Mr Latham would publish such comments. I was hurt because I love Alex and I could see and hear how it was negatively affecting him. I was also hurt and offended because it was an extremely



offensive, disgusting and disparaging attack on homosexual men generally. I thought the gay community had put mainstream hatred behind us by 2023. The attack from Mr Latham seemed very personal but also public. It referred to anal sex in explicit detail while suggesting it was disgusting.

16. On the evening of 30 March 2023, Alex and I attended an event at the Capella Hotel in Sydney. Alex was invited as the member for Sydney. Alex told me that he was "*nervous*". When we attended the event, a number of people raised the Primary Tweet with Alex and me. For example, I saw and heard columnist, Melissa Hoyer, talking to Alex about the Primary Tweet that night. I do not now remember the exact words that people used during the evening in the discussions about the Primary Tweet but based on my discussions with people, I understood that people were shocked by the Primary Tweet.
17. When we were at the Capella event, I saw that Alex put on a 'brave face'. I saw Alex smiling and politely thanking people for their support during the evening. When we got home, however, it appeared to me that everything suddenly hit Alex and I saw him break down like I had never seen before during the course of our relationship. I saw Alex sobbing in bed. I heard Alex say words to the effect, "*I feel helpless*" and "*I feel attacked*". It seemed like for the first time in our relationship, I was not able to comfort Alex. It was extremely distressing for me to watch Alex during that evening.

### **The impact on Alex**

18. In the days after the publication of The Primary Tweet I saw that Alex became withdrawn. I heard that his phone was constantly ringing and pinging whenever I was with him. Based on my observations of Alex during this period, I saw that he became stressed, and he seemed overwhelmed by the growing attention the Primary Tweet was gaining. In this period, Alex was not acting like his normal, outgoing, happy and confident self, and instead he was quiet and subdued for the first time in our relationship.
19. The Primary Tweet gained a lot of media attention and it seemed to me as if journalists began hounding Alex. I do not now recall his exact words, but Alex told me that he felt a responsibility to show a 'brave face' and wanted to use the media attention to focus on LGBTQ+ reform. Notwithstanding Alex's intention to put on a 'brave face', I could tell by his subdued and withdrawn demeanour each day, that the media attention surrounding the Primary Tweet was really affecting him.
20. On Friday 31 March 2023, Alex did a television interview on ABC News Breakfast. At the conclusion of the interview, Alex said to me words to the effect that he was, "*exhausted*"




and felt, "*beaten up*". I took Alex out to breakfast with our dog, and said to him words to the effect, "*we should get out of town*". Alex looked relieved when I said this. I heard Alex call his colleague, Leslie Williams, in front of me. When Alex got off the call, he said to me words to the effect, "*Leslie has offered us to come to her place in Port Macquarie this weekend, which is earlier than we had planned to go*". We decided to leave for Port Macquarie that day.

21. Throughout that day on 31 March 2023 media requests and messages kept coming in. Alex said to me words to the effect, "*I will do one final press conference to deal with them all in one go and then we will leave.*"
22. Based on my discussions with Alex at the time, I was also aware that he was due to appear on The Project on the night of 31 March 2023. Alex cancelled that appearance so we could leave for Port Macquarie that afternoon. I was in the room with Alex when he received a call from the host of The Project, Hamish MacDonald. I don't now recall the exact words, but I heard Alex say words to the effect that he needed to get out of town and could not appear on the show that night. When Alex got off the phone, he said to me words to the effect, "*The Project will send a camera crew to me wherever I am*". The Project sent a cameraman to Port Macquarie and conducted an interview with Alex at the place we were staying on the evening of 31 March 2023.
23. Throughout the drive to Port Macquarie on the afternoon of 31 March 2023, I saw and heard that Alex kept on getting messages on his phone. I told him words to the effect, "*you have to put your phone away for your own wellbeing*".
24. In the months after the Primary Tweet was published, I attended dinners and events with Alex, and was with Alex from time to time when members of the public approached Alex. Based on my observations of Alex during these occasions, I saw that Alex often became uneasy and when attending events, wanted to leave the events early. This was out of character for Alex. When this happened, Alex often told me that he was upset and frustrated because everyone wanted to talk to Alex about the Primary Tweet and these proceedings, instead of talking to him about his work as a Member of Parliament.
25. Prior to the time the Primary Tweet was published, I saw members of the public approach Alex on the street to talk to him. After publication of the Primary Tweet, I experienced many more people approach him than ever before. I had not seen members of the public interact with Alex in the same way they did after the Primary Tweet was published. After the Primary Tweet was published, I saw and heard members of the public come up to Alex and express pity and sympathy for Alex, describing the Primary




Tweet as “cruel” or “inhumane” in what I would describe as a gentle and uncomfortable tone of voice.

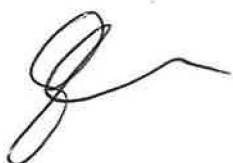
26. On one occasion, Alex and I were talking to our neighbour in Sydney, Kay Robins. Kay said to us words to the effect, *“This is bottom of the barrel stuff”*. On another occasion, the concierge in our building, Steve, said to us words to the effect, *“Latham must have his head in the trough to say stuff like this”*. I saw that both Kay and Steve appeared to show pity towards Alex. They were not smiling, and they touched Alex in a way that appeared to me to show sympathy for Alex.
27. Based on my observations of Alex when this happened, it appeared to me that he felt uncomfortable about these comments and sought to change the topic or end the conversation as quickly as possible. I have never seen Alex react like that before. Alex told me that when members of the public treated him like this, he found it, *“disempowering”*.
28. About a few weeks after the Primary Tweet, I saw that Alex started waking up earlier and earlier in the mornings to go for a run or walk the dog, he was getting up at 5:15am. I believed it was to avoid people stopping him and talking about the Primary Tweet because I recall Alex saying words to the effect of, *“I just want to start my day in peace and quiet and not talk to anyone about Latham”*.
29. After publication of the Primary Tweet, Mr Latham gave a subsequent statement to The Daily Telegraph and a radio interview to TNT Radio.
30. On about the morning of 2 April 2023, I remember Alex reading out loud to me an article in the Daily Telegraph which contained a statement from Mark Latham about the Primary Tweet. A copy of The Daily Telegraph article that Alex read containing Mr Latham’s statement is annexed and marked **“VH-1”**.
31. From hearing Alex read The Daily Telegraph article and Mr Latham’s statements in the article, I understood that Mr Latham was suggesting that Alex is a danger to children. This upset me and Alex because it is completely false and a horrible accusation to have levelled at a person I love and care for deeply. I saw that Alex was distressed and shocked as he read the Daily Telegraph article. He said to me words to the effect:

**Alex:** *“Latham just keeps going, and getting worse.”*



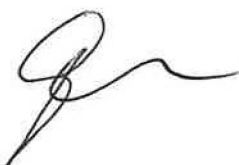

*"What disturbs me the most is that Latham went from describing me as a sex act, to saying I'm a sexual threat to children."*

32. Based on my relationship with Alex, I know that Alex is very proud of the work he has done with local schools, including getting a new high school built in his electorate. I could see that Alex was even more shaken, distressed, and withdrawn than he was after the Primary Tweet, as a result of Mr Latham's statements that were published in The Daily Telegraph on 1 April 2023.
33. Following the publication of the Primary Tweet and media articles about it, I was shown posts about Alex on Mr Latham's One Nation Facebook page. I saw that Mr Latham was posting articles and commenting on Alex's advocacy for the LGBTQ+ community. Alex showed me multiple comments and posts where people accused Alex of being a paedophile and grooming children. I found it very distressing to read these comments and posts about Alex. I could see that Alex was physically repulsed by the comments, and when he showed them to me, he was teary and visibly distressed, I just hugged him a lot during that time.
34. After publication of the Primary Tweet and The Daily Telegraph article containing Mr Latham's statements, Alex told me that he had received threats including letters in the mail and emails to his Electorate Office. Alex told me that he needed to report them to police. Alex read me some of the letters and emails. I found the content of those letters and emails to be so horrific that I did not want to listen to Alex telling me about them anymore.
35. After Alex showed me the comments described in paragraph 34, I feared for our personal safety and wanted us to move elsewhere to be away from our apartment block.
36. From about 31 March 2023, Alex and I also started to get out of Sydney on weekends as much as possible.
37. In July 2023, Alex and I were on holidays in Europe visiting family. During this trip, I saw that Alex 'disconnected' from social media. After about a week of doing so and during a dinner in Rome, Alex said to me words to the effect, *"It's been nice not being called a groomer or paedophile for a whole week"*.
38. During this dinner, Alex also questioned whether he should continue in his political role. I do not remember the words he used but he conveyed to me that he was questioning whether he could run for the seat of Sydney at the next election, and that he also felt that



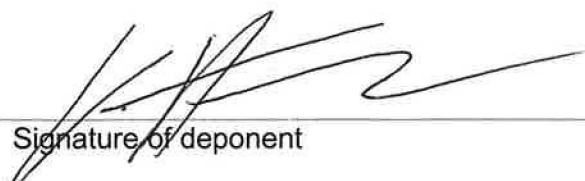
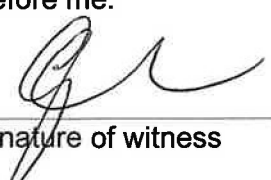
after the incident with Mr Latham he needed a period in his life where he could have some anonymity.

39. I was shocked by Alex questioning his future in politics because I know that Alex's job means so much to him and in my view he is very talented and great at it. However, I also had a sense of relief for Alex that he was questioning his role in public service, despite his natural talent for it. In my view, following the publication of the Primary Tweet and Mr Latham's statements quoted in The Daily Telegraph article, Alex should not remain in the public eye for his own wellbeing and safety.



Sworn / Affirmed by the deponent  
at Sydney  
in New South Wales  
on 27 February 2024  
Before me:

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\_\_\_\_\_  
Signature of deponent  
\_\_\_\_\_  
Signature of witness

Grace Cameron-Lee, Solicitor





## Annexure certificate

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

No. NSD 475 of 2023

**Alexander Hart Greenwich**

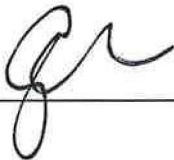
Applicant

**Mark William Latham**

Respondent

This is the annexure marked "VH-1" now produced and shown to Victor Hoeld at the time of swearing his affidavit on 27 February 2024 before me:

Solicitor

A handwritten signature in black ink, appearing to be 'GR', is written over a horizontal line.

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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



 @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**

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 LGBTIQA+ 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 Greenwich. 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.

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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 LGBTIQ community. We don’t support harassment and what we are going to do is pass laws to protect them,” he said.

“Being LGBTIQ 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.

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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.

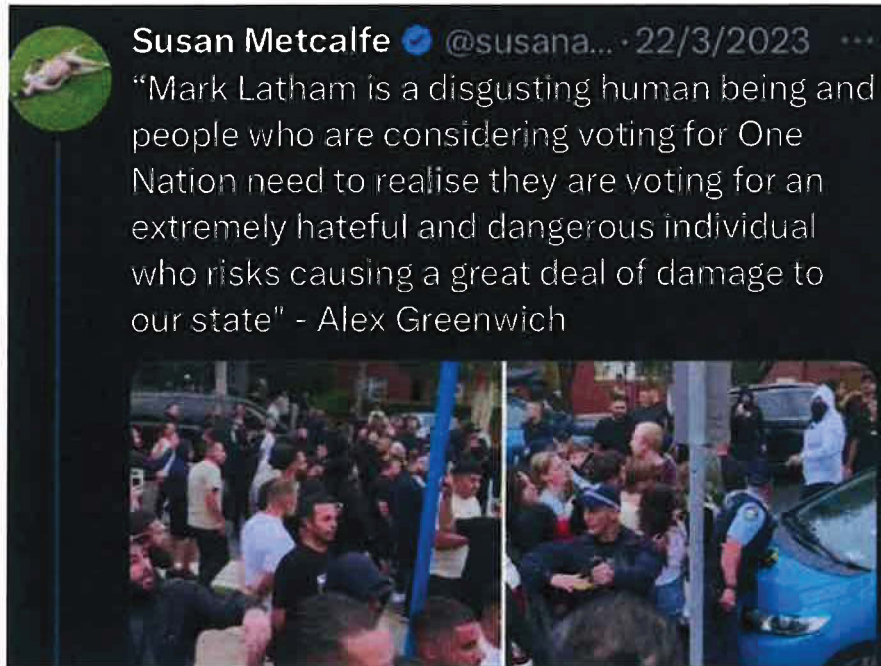
Labor's Upper House leader Penny Sharpe also condemned the tweet, calling on Mr Latham to apologise immediately.

"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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