

NOTICE OF FILING

Details of Filing

Document Lodged: Affidavit - Form 59 - Rule 29.02(1)
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File Title: ALEXANDER GREENWICH v MARK WILLIAM LATHAM
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. 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: **ANNE MCCALL**

Address: [REDACTED]

Occupation: Electorate Officer

Date: 20 February 2024

I Anne McCall, Electorate Officer, [REDACTED] 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 words spoken as I recall them. All information contained in this affidavit is true to the best of my knowledge.

My Employment in the Electorate Office of Alex Greenwich MP

2. I work as an Electorate Officer in the Sydney Electorate Office of Alex Greenwich (**the Electorate Office**), the Applicant in these proceedings. I have been employed in that role since January 2023.
3. Prior to 2023, I worked as a parliamentary researcher supporting independent Members of Parliament and parliamentary committees in the Northern Territory. I also have significant work experience in governance with remote Indigenous communities and

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

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

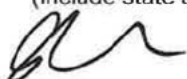
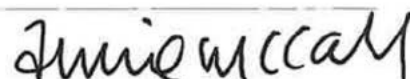
Law firm (if applicable) Dowson Turco Lawyers

Tel (02) 8000 7300

Fax (02) 9519 3022

Email gcl@dowsonturco.com.au

Address for service Suite 8, Level 3, 235 Macquarie Street, Sydney NSW 2000
(include state and postcode)

organisations. I also have 10 years' experience as a non-executive director for charities delivering social programs and supporting cultural institutions including:

- (a) Museum of Understanding through tolerance and Inclusion Limited;
- (b) Young Women's Christian Association of Darwin Inc (now part of YWCA of Australia);
- (c) Museums and Art Galleries of the Northern Territory Foundation Limited.

4. My current role is based in Alex Greenwich's Electorate Office at [REDACTED], [REDACTED] working part-time. In the course of my employment, I have regular contact with Alex throughout the day, on the days that I am working.
5. The tasks and responsibilities associated with my role include managing Alex's diary, and dealing with constituent and other stakeholder issues as they arise, to support Alex's role as the Member for Sydney.

2023 NSW State Election

6. The 2023 NSW State Election campaign took place between about 3 March 2023 to 25 March 2023.
7. On the night before I arrived at work on 22 March 2023, I looked at my mobile phone and I saw news reports about street violence that had occurred outside a church in Belfield, Sydney NSW. The news was about a clash between LGBTQ+ protestors and Christian groups, the latter of whom were attending a speech to be given by the Respondent, Mark Latham MLC (**the Belfield incident**).
8. On 22 March 2023, about ten minutes after I arrived at work for the day, I took a phone call from a person called Daniel Taunton. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Janie McCall

[REDACTED]

[REDACTED]

[REDACTED]

11. After I finished the call with Mr Taunton, I checked through the Electorate Office's history of contact with him, because I wanted Alex to have background information about Mr Taunton before speaking with him, so that Alex could be prepared for the call. I then wrote an email to Alex requesting he call Mr Taunton. A copy of this email is **annexed and marked "AM-1"**. I followed up with a WhatsApp message alerting Alex to the email I had just sent him. Alex then responded that he had called Daniel. A copy of the WhatsApp message is **annexed and marked "AM-2."**

The Primary Tweet

12. On 30 March 2023, I was working in our Electorate Office. I recall having a discussion with Alex and my other colleague, Donna Brooks, about a tweet posted by Mark Latham. I do not now recall the words spoken during the conversation, but I understood from that conversation that Donna had taken a screenshot of Mark Latham's tweet.
13. At the time of this discussion, I was working on Alex's diary for the final election campaign week and had a lot of diary items to process. I briefly engaged in the discussion about Mark Latham's tweet, but I did not look at the tweet at the time, and I left the discussion to get on with my work tasks.
14. I later read the tweet as it was quoted in an article published in the Star Observer (**the Primary Tweet**). A copy of the article I read is **annexed and marked "AM-3"**. When I read the Primary Tweet, I felt sick, disgusted and offended. I still feel sick about the words of the Primary Tweet. I believe I feel this way because it was about my boss, someone I know and respect, someone I have worked with, and someone who is a leader in the community.

Communications to the Electorate Office following the Primary Tweet

15. I am not the person responsible for managing the main email inbox, telephone, or incoming mail for the Electorate Office; that is the responsibility of the role shared by my colleagues Alexander Graham and Roy Bishop who work in the same role on different days. It is, however, my usual practice to discuss workplace matters with Alexander and Roy on a day to day basis, including at times, communications that come into the Electorate Office by email, phone and mail.
16. From late March 2023, in the period after Mr Latham posted the Primary Tweet, I observed that there was a significant increase in the number and frequency of homophobic,



Julie McCall

threatening, abusive and hateful communications from the public to the Electorate Office. The correspondence came to the office by post, email and telephone.

17. From time to time, I also received some of the calls and opened some of the abusive emails and letters myself.
18. I was also aware of these communications because, as a team, we discussed some of the communications after they were received. Initially, it seemed like we did this as and when each communication was received but over time, we stopped discussing each communication. From time to time, my colleagues, Alexander, Roy and Donna, told me about other communications they received.
19. On about 21 August 2023, a message that came through the enquiries form on Alex's website, alexgreenwich.com. This message was not directly threatening but did mention that the sender of the message was an explosives maker. I recall that my colleague Alexander Graham showed me the message and I encouraged him to send it on to Parliament House security. **Annexed and marked "AM-4"** is a copy of the email.
20. Ultimately, I chose not to read all the abusive communications or listen to all of the abusive voicemails. I chose not to do so because I felt that I needed to protect myself because some of the correspondence was so violent and made me feel concerned about my safety, the safety of my colleagues, and Alex's safety. It felt like we were 'under siege'. It also impacted my emotional wellbeing, so I tried not to engage with it. I felt that I needed to protect myself from seeing and hearing all of the communications myself, in order to continue doing my job.
21. On about 28 June 2023, police officers came to the Electorate Office. To the best of my recollection, my colleague, Roy, arranged this meeting with police in response to the threatening letters we received at the Electorate Office. There was also another meeting with police that my colleague, Alexander Graham, and I attended. During one of those meetings, I heard the police officers give advice about how to handle the abusive mail correspondence because it was potential evidence of a crime and police wanted to be able to conduct an investigation to identify the sender of the mail through techniques, including fingerprinting. The police officers gave directions such as wearing gloves to open the mail. I remember thinking that this was not what I ever expected to be doing in my day-to-day duties at this job. After we received this advice, I remember seeing my colleague, Alexander, use gloves when opening suspicious mail.

■ [REDACTED]
[REDACTED]
[REDACTED]

Gr

Julie McCall

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 ██
 ██

The impact of the Primary Tweet

24. A large part of my role is to assist and enable Alex to perform his role by managing his day. After the Primary Tweet was published and after the Electorate Office started to receive the communications referred to above, I had to change the way I went about my job because I had to manage Alex's diary with his safety and wellbeing in mind. I also planned his diary as best as I could so there was not too many emotionally charged meetings in one day. By emotionally charged, I mean meetings that dealt with emotionally charged topics such as assault, sexual assault, and meetings that involved difficult or emotionally charged individuals, such as meetings with victims of crime, or constituents who have grievances, or organisations that deal with emotionally charged social issues.
25. After the Primary Tweet was published, I observed that Alex started to say "No" to more of the invitations he received from colleagues, community organisations and the corporate sector.
26. Before the Primary Tweet was published, Alex often attended theatre events held within his electorate. After the Primary Tweet was published, I had a number of discussions with Alex (on more occasions than I had before the Primary Tweet) to the following effect:
- Alex:** *"I guess I should do that"*
- Me:** *"You can say no."*
- Alex:** *"Ok, no."*
27. On one occasion after the Primary Tweet was published, Alex said to me words to the effect:
- Alex:** *"I just don't want to be in public."*
28. In the weeks after the Primary Tweet was published, it was my usual practice was to wake up in the morning and check the news and social media before work, to see what was being said about Alex and prepare myself for the day ahead. There were days when the matter was reported in the media. I also saw a lot of hurtful, threatening, and hateful commentary about Alex, on social media. I was concerned for the safety and wellbeing of Alex and my other colleagues, particularly Roy, who is a member of the LGBTQ+



Julie McCall

community and a long-serving employee of Alex's, because the Electorate Office is easily accessible to the public.

29. In order to make our workplace safer after publication of the Primary Tweet, I and the other staff at the Electorate Office closed the doors during the day, we usually have the doors unlocked so that members of the public can come in from the street. We also let phone calls go through to voicemail, and filed hateful email communications in a separate Outlook folder.

■ [REDACTED]

Gr

Trinie McCall

Affirmed by the deponent
at Sydney
in New South Wales
on 20 February 2024
Before me:

)
)
)
)
)

Année McCall

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

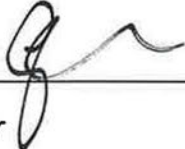
Alexander Hart Greenwich

Applicant

Mark William Latham

Respondent

This is the annexure marked "**AM-1**" now produced and shown to Anne McCall at the time of swearing her affidavit on 20 February 2024 before me:



Solicitor

[REDACTED]

From: Annie McCall [REDACTED]@parliament.nsw.gov.au>
Sent: Wednesday, 22 March 2023 9:50 AM
To: Alex Greenwich
Subject: Last night's incident: Request to call [REDACTED] who was attacked

Hi Alex

[REDACTED] [REDACTED] called at 9.10am this morning. [REDACTED] would like to speak to you. He was part of the LGBTQI+ activists who were attacked yesterday and "thought we were going to die" (his words). He said he wants to speak to you about the way police handled the situation. He had seen your post this morning condemning the attacks. He did also make mention of the inappropriateness of the location of the meeting being a church (ABC reports a church hall).

He said you knew him.

I told him I would give these details to you this morning as we were to have a team meeting. Let me know if you want me to do anything else in regards to this.

[REDACTED]

Kind regards

Annexure certificate

Federal Court of Australia
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Division: General

No. NSD 475 of 2023

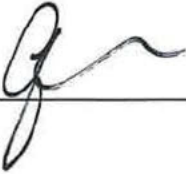
Alexander Hart Greenwich

Applicant

Mark William Latham

Respondent

This is the annexure marked "AM-2" now produced and shown to Anne McCall at the time of swearing her affidavit on 20 February 2024 before me:



Solicitor

2:33

3G 67



Alex Greenwich MP



21 Mar 2023

1.25 pm for car

1:01 pm ✓✓



Perfect

1:01 pm

22 Mar 2023

Just emailed you deets of [REDACTED] who was attacked last night and would like you to call him.

9:51 am ✓✓

Thanks just called him

10:05 am



If you're ok I'm going to do my Tongan parliament talk at home tomorrow- max I'll be out 10am-12pm. I can control my own tech there.

11:49 am



No worries

11:50 am



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 "**AM-3**" now produced and shown to Anne McCall at the time of swearing her affidavit on 20 February 2024 before me:



Solicitor

- [NEWS](#)
- [WHAT'S ON](#)
- [ARTS & ENTERTAINMENT](#)
- [PRIDE DIRECTORY](#)
- [SCENE PHOTOS](#)
- [IN PRINT](#)
- [ADVERTISE](#)
- [NEWS](#)
- [ARTS & ENTERTAINMENT](#)
- [WHAT'S ON](#)
- [TRENDING](#)
- [PRIDE DIRECTORY](#)
- [ABOUT](#)
- [ADVERTISE](#)
- [SCENE PHOTOS](#)
- [IN PRINT](#)
- [CONTACT](#)
- [TERMS & CONDITIONS](#)

[CLEAR](#)

Mark Latham Targets Out Gay Sydney MP Alex Greenwich With Vile Homophobic Slur

[NEWS](#)

SHIBU THOMAS

MARCH 30, 2023



Image: One Nation MP Mark Latham (Left) And Independent Sydney MP Alex Greenwich.

One Nation MP Mark Latham on Wednesday targeted out gay Sydney MP Alex Greenwich with a disgusting homophobic slur on Twitter.

Trigger Warning: This story discusses hateful homophobic comments, which might be distressing to some readers. For 24-hour crisis support and suicide prevention call Lifeline on 13 11 14. For Australia-wide LGBTQI peer support call QLife on 1800 184 527 or [webchat](#).

Social media users slammed Latham's remarks against Greenwich as "blatant homophobia". Facing an online backlash for his comments, Latham, who has a history of making anti-LGBTQI statements and pushing anti-trans bills, soon deleted his tweet, but not before Twitter users managed to take screenshots. Latham's comments invited rebuke from One Nation leader Pauline Hanson, who termed them as "disgusting".

Star Observer reached out to Greenwich, who said he did not wish to further engage with the matter.

"I understand this tweet has been taken down, I don't intend to engage with the matter further. My focus in the Parliament will be working with the majority of members to support the LGBTQ community to progress important reforms," said Greenwich.

Far-Right Christian Men Attack LGBTQI Activists Outside Latham Event

Earlier this week, Greenwich was re-elected as Independent Member for Sydney in the state elections for a historic fourth term.

Greenwich, a former convener of the Australian Marriage Equality campaign, had said that he would back a minority NSW government subject to them supporting his Equality Bill and proposed legislation to ban gay conversion therapy in the state.

Last week, Greenwich condemned the One Nation MP, following violence outside Belfield Church in southwest Sydney, where Latham was the keynote speaker at the 'Community Forum on Religious Freedom and Parental Rights' event.

On Tuesday, March 21, 2023, around 250-300 far-right Christian men attacked a small group of LGBTQI activists who were holding a peaceful protest at the event where Latham was scheduled to speak.

One police officer and Community Action For Rainbow Rights activists were injured after the men, some wearing Christian Lives matter t-shirts, assaulted them and hit them with rocks and bottles. NSW police arrested three men over the alleged attacks.

Hateful And Dangerous Individual

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



smh.com.au
Video shows LGBTQ protesters pleading for help outside Mark Latham event

23 3 11 1,277



Real Mark Latham
@RealMarkLatham

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

10:13 am · 30/3/2023 · 6,171 Views



Real Mark Latham @RealMarkLatham · 1h
Disgusting?

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

87 40 227 6.171



Nathan @seafoodsaki · 55m

That's a disgusting homophobic piece of shit response - point proven. Can't you just drink yourself into pancreatitis hospitalisation again and give us all a break

1 2 209



Real Mark Latham
@RealMarkLatham

Greenwich and co. can do that until it falls off, as far as I'm concerned.
But calling others disgusting?
Nah.

11:47 am · 30/3/2023 · 181 Views

One Nation MP Mark Latham targets out gay Sydney MP with a disgusting homophobic slur. Image: Twitter

Latham, who is likely to be re-elected to NSW Parliament's Legislative Council, said the police advised him not to speak at the event, but he had chosen to go ahead and do so.

In a statement to the press, Greenwich said: '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.'

A Twitter user shared Greenwich's statement and Latham responded with hateful rhetoric. "Disgusting? How does that compare with sticking your d*** up a bloke's a*** and covering it with s***?" Latham spewed in his now-deleted Twitter post.

When other users called him out for his homophobia, Latham doubled down. "Greenwich and co. can do that until it falls off, as far as I'm concerned. But calling others disgusting? Nah," Latham said. He later deleted the second post as well.

Pauline Hanson Condemns Latham's Homophobic Comments

Latham's comments proved extreme even for One Nation Leader Pauline Hanson. In a video message posted on social media, Hanson termed the

remarks as “disgusting” and called on Latham to apologise. Hanson said she had tried to call Latham on his phone, but “to no avail”.

“I don’t condone them (Latham’s comments), and neither do my members of Parliament or party associates. I think they are disgusting,” Hanson said. “I have clearly sent a text message to him (Latham), telling him my views and also I have asked him to give the people an apology.”

Labor leader and NSW Environment Minister Penny Sharpe told the *Sydney Morning Herald* that she was left “physically sickened” by Latham’s comments. “There is no place for homophobia in NSW. No person should be subjected to this type of abuse. Ever. Alex Greenwich deserves an apology,” Sharpe posted on social media.

Annexure certificate

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

No. NSD 475 of 2023

Alexander Hart Greenwich

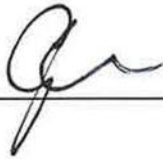
Applicant

Mark William Latham

Respondent

This is the annexure marked "**AM-4**" now produced and shown to Anne McCall at the time of swearing her affidavit on 20 February 2024 before me:

Solicitor

A handwritten signature in black ink, appearing to be 'A. Hart', is written over a horizontal line. The signature is cursive and stylized.

[REDACTED]

From: ElectorateOffice Sydney
Sent: Tuesday, 22 August 2023 3:11 PM
To: DPS Security
Cc: Roy Bishop; Alex Greenwich; Tammie Nardone; Leanne Abbott; Donna Brooks
Subject: FW: [alexgreenwich] mitja kavec left feedback on Contact Alex

Hi folks

Alex's Office has received the quite bizarre message below, through Alex's website. While not directly threatening it is quite odd and we thought that we should flag it with you just in case.

Please let me know if there is anything else you need and if you have any specific advise.

Kind regards
Zander Graham
Senior Electorate Officer
Alex Greenwich MP
Member for Sydney
[REDACTED]
Monday - Wednesday

From: NationBuilder <notifications@nationbuilder.com>
Sent: Monday, 21 August 2023 9:03 AM
To: ElectorateOffice Sydney [REDACTED]@parliament.nsw.gov.au>
Subject: [alexgreenwich] mitja kavec left feedback on Contact Alex



[mitja kavec left feedback on Contact Alex](#)

" i am not suicidal at moment , but as long as i remember i want to have a choice , to leave this life as painless and stress free possible , if i decide so // there can be more than one reason , and i am a firm believer , that when you got ..end ..in your closet ,, you are far less ,,suicidal,, when it come even to great pain or depression // i compare to have a parachute ,and option to jump out of plane /course low flying etc etc //i am affraid of flying , but friends get me to jump free fall in tandem // i a still would not fly in plane where i can not open doors or fly too high ,, but id have close to no fear if flying in same plane i jumped out from // so euthanasia for me is last resort device ,, i saw too many war wounds to be easy //like a ill just put a bullet in my head,,it is painfull and less than 80 perc deadly / and if you survive you look like ,, /so i am prone to gas or 10 kg plus ahaped charge of tnt or other hi explosive in case of me because i am a explosive maker since young "



mitja kavec

Email: [REDACTED]@gmail.com

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