

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

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.

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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: **ALEXANDER GRAHAM**

Address: [REDACTED]

Occupation: Senior Electorate Officer

Date: 20 February 2024

I Alexander Graham, Senior 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 In April 2022, I started working in the Sydney Electorate Office of Alex Greenwich member of Parliament (MP) (the Electorate Office). My role is Senior Electorate Officer.

| | |
|--|---|
| Filed on behalf of (name & role of party) | Alexander Greenwich, Applicant |
| Prepared by (name of person/lawyer) | Nicholas Stewart, Partner |
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- 3 Since I started working in the Electorate Office, I have worked part-time, three days per week. I am also a final year law student and I work two days a week as a paralegal at a law firm and teach property law at the University of Technology Sydney.
- 4 My previous work experience includes retail management, the Army Reserves (for 10 years) and drug and alcohol counselling.
- 5 In my role as Senior Electorate Officer, I am required to attend to the following tasks:
- a. Being the 'first point of contact' for the Member for Sydney. This includes answering phones, reading and replying to emails and attending to people who walk into the Electorate Office, which is a shopfront located [REDACTED] [REDACTED] I am also required to open and sort mail.
 - b. Liaising directly with government departments about matters relating to state politics and the Sydney electorate.
 - c. Assisting in the drafting of parliamentary questions, correspondence, and newsletters.

The Primary Tweet by Mark Latham

- 6 I was not working at the Electorate Office on 30 March 2023. On 31 March 2023, I recall seeing some news reports on my phone of a homophobic tweet posted by Mr Latham, directed at Alex.
- 7 I read reports from major mastheads including the Sydney Morning Herald and the Age none of the news articles I read included a copy of the tweet. I did a quick Google search and found that the tweet had been removed from Mr Latham's Twitter page, and the major mastheads had chosen not to publish the contents of the tweet.
- 8 I was able to find a picture the tweet online, through a Google images search. The tweet stated: "*Disgusting? How does that compare with sticking your dick up a bloke's arse and covering it with shit?*" (**the Primary Tweet**).
- 9 At the time Mr Latham posted the Primary Tweet, I had been working at the Electorate Office for about 12 months. In that time, members of the public had contacted the Electorate Office to express their views about Alex's position on political issues and why they thought Alex's position was wrong. Sometimes, that contact was negative and abusive, but more often it was communicated in a polite, respectful and rational manner.

- 10 In that time, I had also gained experience working with parliamentarians and observed interactions between MPs and staff of MPs. In my experience, it is not uncommon for MPs to say things to one another that I would consider rude or offensive.
- 11 However, when I saw the image of the Primary Tweet and read the words of the Primary Tweet, I was in disbelief. I felt very bad for Alex, as the Primary Tweet had targeted and attacked Alex for his sexuality. The Primary Tweet made me feel shocked, sickened, deeply offended, disgusted, upset, and saddened.
- 12 Throughout the day on 31 March 2023 and in the days that followed, I received calls and messages from my friends and family members about the Primary Tweet and its contents, and to see how I was going and how Alex was going.

Correspondence sent to the office of Alex Greenwich following the Mark Latham Tweets

- 13 Looking back over the communications in the Electorate Office inbox and our mail records, from about 1 April 2023, the Electorate Office received letters, emails, and calls, which were hateful and threatening toward Alex and gay men generally. In the 12 months I had been working in the Electorate Office up to that point, I had not experienced receiving so many hateful or threatening messages. I also observed that the tone of the communications was more vitriolic and threatening than what I had observed of earlier communications that I had seen in the course of my work.
- 14 In the period between early April 2023 and July 2023 I remember witnessing or receiving about 70 emails, five letters by post and what felt like countless phone calls and voicemail messages which contained hateful, abusive, homophobic, and sometimes threatening content. Because of the volume of the emails, we created a separate folder in Outlook in which to save these emails and labelled the folder "Latham hate".
- 15 Based on my experience fielding telephone calls in this period, I observed that the abusive phone calls would often come from 'private' numbers. After we began receiving these phone calls, Alex told staff at the Electorate Office to, "*Screen calls from private numbers*". I understood that to mean that we were not to answer phone calls from 'private' numbers.
- 16 After the Primary Tweet was published, I noticed that some of the people contacting the Electorate Office were from outside of New South Wales. In my experience that was uncommon because Alex is a state MP.



17 The threatening and violent nature of some of the letters and calls we received were so troubling that I was genuinely concerned that these people would seek to harm me or my colleagues by sending a dangerous substance through the mail. I felt threatened and unsafe as a result of the communications received after the Primary Tweet was published.

18 I recall feeling that the Primary Tweet had put a 'target' on Alex and our workplace.

█ [REDACTED]

20 After we received the first abusive letter related to the Primary Tweet, one of my colleagues, Roy Bishop, contacted the NSW Police Force. In about May 2023, the Electorate Office was visited by two police officers, one being Detective Sergeant Mark Galvin.

21 The police officers conducted a demonstration and outlined the process they wanted us to use when opening suspicious mail. This involved wearing gloves when touching the paper and making sure the letter was stored in a separate manila folder.

22 Based on my attendance at this demonstration, I understood this process was to protect us from exposure to noxious or contaminated substances and to preserve the paper for fingerprinting purposes. Detective Sergeant Mark Galvin provided his card and said words to the effect of, "*call me if any suspicious mail comes in, or if you receive direct threats.*"

23 After this demonstration, I changed the way I handled mail. If the letter had no sender on the back or looked a bit strange, for example if it did not clearly come from an organisation, or had no return address on the back, I either used gloves to open it or set it aside for Detective Sergeant Mark Galvin.

█ [REDACTED]

25 Not long after the police demonstration in May 2023, I had to call Detective Sergeant Galvin back to the Electorate Office to open a piece of mail that looked particularly



suspicious, the postal address was handwritten and the print looked as though it was written by a child with random capital letters and quite a scrawly style, and it had no return address; it did not look like the regular mail that I would open on a day-to-day basis.

26 I called Detective Sergeant Galvin back to the Electorate Office on another occasion to collect a bundle of suspicious-looking mail that I had set aside for him.

27 I also remember seeing that Detective Sergeant Galvin was forwarded an email by my colleague Roy Bishop that contained some bizarre content. **Annexed and marked "AG-1"** is a copy of that email.

28 In relation to hateful telephone calls to the Electorate Office, I remember finding it difficult to not engage with phone calls that I perceived to be abusive, but I believed I needed to remain calm and professional when fielding those calls.

29 We receive many phone calls each day at the Electorate Office. [REDACTED]
[REDACTED]
[REDACTED]

30 After the Primary Tweet was published:

- a. I remember one caller said to me words to the effect, "*Mark just told the truth on how faggots have sex*".
- b. I remember another caller said words to the effect, "*Leave Mark alone, the Alphabet people started it*".

31 Even some of the less aggressive callers would talk with such a demeaning tone I would feel terrible for having to listen to them and angry that I just had to accept the abuse until I terminated the call. It also made me feel hesitant when answering any phone calls at work. It got so bad that I didn't want to do my job. The threatening, abusive, and homophobic calls from members of the public were impacting my wellbeing. I did not want to come to work to feel abused by random members of the public.

32 I recall that the abusive phone calls would usually be more frequent when a news outlet covered a story related to the Primary Tweet and Mark Latham's subsequent commentary about the Primary Tweet.



- 33 In about early April 2023, Alex directed that the door to the Electorate Office be locked. The door was locked for about a week. It is usually unlocked so people can enter the Electorate Office from the street and so that the office is accessible to members of the public who live in the electorate. Alex gave the direction to lock the door after a discussion in the Electorate Office between myself, Alex and other colleagues about the threatening nature of the situation after the Primary Tweet was published. Alex instructed us to lock the door until we felt that things had quietened down and made clear that we were to lock the door at any point if we did not feel safe.
- 34 Even after we unlocked the door after that week it was locked, I remember occasions where the doors were locked on an 'ad hoc' basis when certain letters caused people in the office to feel unsafe.


My observations of the impact on Alex Greenwich

- 35 Prior to the Primary Tweet, I had never observed Alex become upset or flustered about anything work related. I always observed him to be calm. However, after the Primary Tweet, in all the conversations I have had with Alex about the Primary Tweet and the abusive communications sent to the Electorate Office, it is clear to me that Alex has been deeply affected, I have seen tears well up in his eyes and he has become physically shaken.
- 36 I have always found Alex to be very approachable, he has always made me feel comfortable discussing anything with him. However, when it comes to discussions about the Primary Tweet, I have observed Alex to be withdrawn, his tone of voice changes and becomes deflated. This is the opposite to his normal personality which is usually energetic and upbeat. When Alex is down, it impacts the mood of the office.




Affirmed by the deponent
at Sydney
in New South Wales
on 20 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

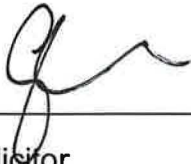
Alexander Hart Greenwich

Applicant

Mark William Latham

Respondent

This is the annexure marked "**AG-1**" now produced and shown to Alexander Graham at the time of swearing his affidavit on 20 February 2024 before me:



Solicitor

From: ElectorateOffice Sydney [REDACTED]@parliament.nsw.gov.au>
Sent: Thu, 29 Jun 2023 14:32:06 +1100
To: 'Mark Galvin'
Subject: FW: [alexgreenwich] Alex Greenwich left feedback on Contact Alex

Dear Mark

I understand we're forwarding any abusive or threatening messages to you. While there are no threats in it, I'm sending this just in case it links with other material you are getting. The message below was posted via Alex's website, with false details.

Regards
Roy Bishop JP
Electorate Officer
Alex Greenwich MP
Member for Sydney
[REDACTED]

From: NationBuilder <notifications@nationbuilder.com>
Sent: Thursday, 29 June 2023 9:32 AM
To: ElectorateOffice Sydney [REDACTED]@parliament.nsw.gov.au>
Subject: [alexgreenwich] Alex Greenwich left feedback on Contact Alex



[Alex Greenwich](#) left feedback on [Contact Alex](#)

"Why can't poofs make children? What happens when you put a battery around the wrong way..."

[Alex Greenwich](#)

Email: alex@poofta.com

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