

Shop, Distributive & Allied Employees' Association



NATIONAL PRESIDENT
Gerard Dwyer

NATIONAL SECRETARY
Joe de Bruyn

Jdb/cr
Thursday 26th April, 2012

The Committee Secretary
Standing Committee on Legal &
Constitutional Affairs
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Sir,

RE: MARRIAGE EQUALITY AMENDMENT BILL 2010
FURTHER SUBMISSION BY THE SHOP DISTRIBUTIVE & ALLIED EMPLOYEES
ASSOCIATION TO THE SENATE STANDING COMMITTEE ON LEGAL AND
CONSTITUTIONAL AFFAIRS

By letter to me of the 23rd April, 2012, the Committee Secretary of the Standing Committee on Legal and Constitutional Affairs of the Senate has invited me to respond to the views expressed in a submission to the Committee from a Mr. Duncan Hart who claims to be the National Convener of SDA Members for Equality.

Although I have been the National Secretary of the SDA for over 33 years, I have never heard of Mr. Hart or his organization, nor have I seen any evidence of his organisation's activity among the more than 212,000 members of the Union.

I wish to correct a number of the mistaken facts and views which are contained in his submission as follows: -

1. Our views on the unique nature of Marriage as being between a man and a woman is a natural progression of the Family Policy of the SDA that was originally formulated by the Union from 1975 onwards, when we appointed our first National Equal Employment Opportunity Officer in the Union. Successive people holding his position have developed the Family Policy of the SDA to the point where today, we have resolved that Marriage between a man and a woman is the unique basis of the family which, as the Universal Declaration of Human Rights says, is the fundamental group unit of our society. Our policy is that Marriage between a man and a woman should be promoted, enhanced and protected by Government policy.

2. We do not believe that our view is in any way discriminatory. We believe that a relationship between two people of the same sex is a relationship which does not qualify for Marriage, as it has been uniquely recognized and defined by human-kind since the dawn of history. Just as I do not qualify for the age pension because I am not old enough, in a similar way, two people in a relationship who are of the same sex do not qualify for the relationship that we know and define as "Marriage".
3. Our policy on support for Marriage between a man and a woman was most recently endorsed unanimously by the National Council of the Union at its meeting in October 2010. At this time, it was clear that Marriage as defined in the Federal Legislation would be subject to efforts to change it, and accordingly, the Union decided that it would re-endorse its previously accepted policy of supporting Marriage between a man and a woman and empower the officers of the Union to take any necessary steps to ensure that the present Legislation was retained.
4. The National Council of the Union is the highest decision-making body of the Union and is constituted by the elected National Officers, together with approximately 39 representatives from the Branches who are elected directly on a regular basis from the Union's members in accordance with the Rules of the Union. The National Council is therefore a representative body of the Union, and it is empowered with decision-making authority, and is used to determine the major issues which the Union discusses from time to time.
5. Some years ago, when we were first formulating our policy on Marriage, we did discuss with a representative sampling of our members our view on Marriage as being between a man and a woman, and we found overwhelming support from our members for this position. We believe that this continues to be the view of the overwhelming majority of the members of the Union.

Organisers and other officers of the Union are in touch with members of the Union on a daily basis all around Australia, and our public stance in support of Marriage as defined in the Federal Legislation has never been the cause of adverse comment to any significant degree in any part of Australia at any point in time.

We are confident therefore, that our policy is representative of the view of our members and that we are representing their view in our submission to the Senate Committee.

6. The Submission by Mr. Duncan Hart claims that the Union's voting structure means that ordinary members and their views are not represented in the leadership ranks.

This view is clearly wrong.

Any analysis of the Rules of the Union at the National level and of our various Branches would make it clear that the Officers of the Union and the decision-

making Committees of Management at the Branch level as well as the National Council are elected directly by the members of the Union on a regular basis as is required under the relevant parts of the Fair Work Act. This has been the case throughout the period of my tenure as National Secretary of the Union.

On one occasion early last year, a member representing the views of Mr. Duncan Hart attended a regular members' meeting of our Queensland Branch. After he had been given substantial time to put his point of view, the matter was put to a vote and the overwhelming majority of the members present at the meeting rejected his view and endorsed the policy position that the National Council of the Union had adopted.

I am not aware of any other occasion where this matter has been raised by any member of the Union at any forum attended by officials of the Union in their capacity as union officers or employees.

In view of the above, I submit that the Committee can safely ignore the view of Mr. Duncan Hart in the manner in which he puts it forward and merely take them as being representative of himself.

Yours faithfully,

JOE DE BRUYN
National Secretary - Treasurer