

TO: GREATER TORONTO AREA INTERGROUP REPRESENTATIVES

THE ATTACHED IS FROM A RESPONSE FILED WITH THE HUMAN RIGHTS TRIBUNAL OF ONTARIO EARLIER THIS MONTH BY COUNSEL ON BEHALF OF GTA INTERGROUP AND THE GROUPS THAT COMPRISE THE GTA INTERGROUP.

IN KEEPING WITH THE PRINCIPLE OF ANONYMITY, PERSONAL NAMES HAVE BEEN REMOVED.

THIS IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY TO ENABLE GROUP REPRESENTATIVES TO BE IN A POSITION TO INFORM THEIR GROUPS ABOUT THIS RESPONSE AS THEY DEEM APPROPRIATE.

IN SHARING THIS INFORMATION WITH HOME GROUPS, PLEASE BE MINDFUL THAT THIS IS PART OF A LEGAL PROCESS THAT MUST BE RESPECTED BY ALL.

IN RESPONDING TO THE APPLICATION, COUNSEL ON BEHALF OF INTERGROUP HAS ADVISED THE TRIBUNAL THAT INTERGROUP IS PREPARED TO PARTICIPATE IN THE NEXT STAGE OF THAT PROCESS, A TRIBUNAL-FACILITATED MEDIATION MEETING.

WE WILL, OF COURSE, CONTINUE TO KEEP GROUP REPRESENTATIVES ADVISED AS THIS MATTER PROGRESSES THROUGH THE TRIBUNAL PROCESS.

YOURS IN SERVICE,

THE EXECUTIVE COMMITTEE

GREATER TORONTO AREA INTERGROUP

MAY 31ST, 2016

**GTA INTERGROUP'S RESPONSE TO A HUMAN RIGHTS TRIBUNAL
APPLICATION¹
FOR DISTRIBUTION TO GTA INTERGROUP REPRESENTATIVES
MAY 31ST, 2016**

Introduction

1. This Response is filed on behalf of one of the respondents, Greater Toronto Area Intergroup ("GTA Intergroup"). To summarize the GTA Intergroup's position in this matter, it is respectfully submitted that the application made to the Tribunal by the applicant should be dismissed on any of the following five grounds:
 - (a) the applicant does not have standing;
 - (b) even if the applicant has standing, his application is time barred as the matters of which he complains occurred on May 24, 2011, March 27, 2012 and June 26th 2012;
 - (c) even if this application is not time barred, it should be dismissed as the area of complaint (goods, services and facilities) is not engaged by the facts in this case;
 - (d) in any event, the applicant has not been discriminated against by GTA Intergroup; and
 - (e) section 18 of the *Human Rights Code*.

The Relevant Parties

2. Alcoholics Anonymous ("A.A.") is a registered trademark of Alcoholics Anonymous World Services. The "Fellowship" of Alcoholics Anonymous consists of men and women around the world who have a desire to stop drinking. They have discovered and admitted that they cannot control alcohol. They have learned that they must live without it if they are to avoid disaster to themselves and those closest to them. With local groups in thousands of communities around the world, they are part of an informal international fellowship. All have this as a primary purpose: to stay sober themselves and to help others who may turn to them for help in achieving sobriety.
3. There are three vital Legacies of A.A. that create moral obligations on members of A.A: Recovery, Unity and Service. The GTA Intergroup is essentially a Service vehicle and this response to the application will focus on that vital legacy of A.A.
4. The service structure of A.A. is basically an upside down pyramid where all authority within the service structure resides in the various groups. In the GTA, there are approximately 333 A.A. groups, of which 45 to 65 regularly participate at the GTA Intergroup monthly meetings. These groups are in turn made up of their individual members with tremendous varieties of creeds, religions, genders, orientations, ethnicities,

¹ Adapted from the Response on behalf of GTA Intergroup filed with the Ontario Human Rights Tribunal, May 2016

ances and so on. Service is carried out through this upside pyramid through the individual, the group, the District, the Area, the Region, the General Service Conference, A.A. World Services and the General Service Board, the latter two being co-respondents in this matter.

5. Intergroups, or central offices, do not show up in the A.A. General Service structure of individuals, groups, the District, the Area, the Region, and the World Services. This is because Intergroups are, in effect, *ad hoc* arrangements at the local level to facilitate and to coordinate the service work of the groups and their members. They are cooperative ventures carried out by the voluntary contribution of time and money by alcoholics who are engaged in the service activity of "carrying the message" and connecting people to or informing others about A.A.'s programme of recovery, known as the Twelve Steps. The service that the Intergroup provides is to direct people to the A.A. programme of recovery or to make people aware that it exists, that it works, and how to connect to it through meetings, telephone lists, website, and various Intergroup committees. The GTA Intergroup is an unincorporated entity with its office at 234 Eglinton Avenue East, Toronto. It became registered on January 1, 1967 with the Canada Revenue Agency as a charitable organization. Decisions directing the affairs of GTA Intergroup are made, or endorsed, by representatives of A.A. groups at monthly Intergroup meetings. No other entity directs the activities, policies or procedures of the Intergroup.
6. Each group has representation at GTA Intergroup meetings through one Representative. The role of the Intergroup Representative is to represent and communicate their group's conscience at GTA Intergroup meetings; to make such recommendations as they deem proper for consideration of and action by the various committees; and to keep their groups advised of the work of and the various needs of GTA Intergroup, especially the need for volunteers or money. In short, the Representatives of the A.A. group members coming together at the monthly meetings (colloquially referred to as "the Floor of Intergroup") are responsible for making collective decisions. The authority for decisions concerning the operations of GTA Intergroup comes from the collective conscience of the local groups.
7. An Intergroup Representative has the following rights: to speak at GTA Intergroup meetings as a representative of his/her group; to move, second and vote on motions before GTA Intergroup; and to nominate candidates or stand for election to the Executive Committee. The only people who have a voice and a vote on the Intergroup floor are the Intergroup Reps or their alternates. Executive Committee members do not have a vote. The Executive Committee is composed of ten positions. Members of the Executive Committee are nominated and elected at the January general GTA Intergroup meeting by the voting members of the Intergroup Floor. As mentioned above, while there are more than 300 groups in the GTA, attendance at monthly Intergroup meetings typically ranges between 45 to 65 groups.
8. Intergroups serve the purpose of carrying out functions that are performed more efficiently as a collective rather than by the individual groups or Districts that lie within the Intergroup's catchment area. The basic functions that an Intergroup such as the GTA Intergroup perform include:
 - (a) A.A. inquiries. By providing an Alcoholics Anonymous listing in the phone book, the Intergroup or central office may receive inquiries from those seeking help or

simply information. For those seeking help, they will refer the caller to a nearby A.A. group where sponsorship will be available or a so-called twelfth stepper will contact the caller. Many A.A. offices and individual groups have their own websites too.

- (b) Office facilities: provide a space for volunteers to coordinate local services and work space for paid workers (in GTA Intergroup's case, part-time office manager, assistant and literature person).
 - (c) Meeting lists and other literature: At regular intervals, the Intergroup may publish and distribute up-to-date lists of meetings and other information about local A.A. services. The Intergroup may also sell A.A. Conference approved literature for the convenience of local groups.
 - (d) Information Exchange: the Intergroup can function as a clearinghouse for the circulation and exchange of information among all the A.A. groups or to others in the community with an interest in recovery issues, e.g. professionals, treatment facilities, the media.
 - (e) Local A.A. events, A.A. bulletin or newsletters: the Intergroup or central office will oversee publication and distribution of such item. In the case of GTA Intergroup it is the "Better Times" newsletter.
9. More specifically, many A.A. members, including some who it is understood are members of We Agnostics, Beyond Belief and Widening the Gateway, serve on committees such as Accessibility; Archives; Communications; Correctional Facilities; Cooperation with the Professional Community; Annual Information A.A. Day; Annual Ontario Regional Conference; Public Information; Treatment Committee; and Twelfth Step.
10. Groups are listed in the meeting book, on the website, and the list of meetings that are given over the phone by GTA Intergroup. The 12th Step Subcommittee of the GTA Intergroup is responsible for insuring that the GTA Intergroup phone lines are staffed by trained volunteers with a minimum of one year sobriety, who can assist callers for so called 12 Steps calls. The over-arching objective of these functions is to connect people to or to inform them about the A.A. programme of recovery, especially newcomers.

Reason One to Dismiss the Application: No Standing

11. The applicant himself has not been subjected to the alleged discriminatory conduct by GTA Intergroup. The applicant is an individual. He self-identifies as a member of a group called We Agnostics. The applicant does not purport to be representing We Agnostics in this application. He is before the Tribunal in his personal capacity. What he has done in his application, though, is to mix up his personal right to be free of discrimination on the basis of creed with the rights or interests of We Agnostics. What the applicant is really complaining about is the suspension of We Agnostics, a group in which he is only one member, from the GTA Intergroup. It is our respectful submission that the applicant does not have standing to bring this application because the actions of the GTA Intergroup were not directed at him personally, either directly or indirectly. The subject of the alleged

discrimination is We Agnostics and other atheist, agnostic and freethinker groups and they are noticeably absent from this application.

Reason Two to Dismiss the Application: the Application is Not Timely

12. The applicant's application is untimely. The actions of which he now complains occurred in May 2011 and March and June 2012. There has been no reasonable explanation proffered by the applicant as to why it took him over 2 years and 2 months to the date of the filing of the within application on September 18, 2014. Accordingly, we respectfully request that this application be dismissed on the basis that it is untimely. There is clear prejudice to the GTA Intergroup to have to respond to an untimely application because of the usual passage of time issues with memory and witness availability, exacerbated by the structure of the GTA Intergroup (and A.A. at large) which believes in rotating people out of positions on a regular basis.

Reason Three to Dismiss the Application: the Area of Complaint is Not Engaged

13. The applicant has argued in his application that he has been discriminated against by the GTA Intergroup on the basis of creed in the area of goods, services or facilities. It is submitted that this area of discrimination is not engaged by the applicant's complaint. The GTA Intergroup does not provide any goods to the applicant or We Agnostics. It does not own or occupy any facilities other than its office at 234 Eglinton Avenue East, Toronto that would have any connection to the applicant. Finally, the GTA Intergroup does not provide any services to the applicant or We Agnostics, although it is open to the applicant and/or We Agnostics as it is to anyone to purchase A.A. literature through the GTA Intergroup.
14. In fact, the services that the GTA Intergroup exists to provide are not to its groups and their members. Rather, GTA Intergroup looks to its groups and members to provide service to and through the Intergroup for the benefit of those looking to connect to the A.A. programme of recovery. Intergroup relies on the groups to supply volunteers, donations, and to purchase literature which is a principal revenue source. In this sense, the groups serve Intergroup. Essentially, the groups are assisting in a common, cooperative effort. For this reason, then, we submit that the *Code's* requirement that the area of the provision of goods, services and facilities be engaged for an application to proceed has not been met by the applicant and so the application should be dismissed.

Reason Four to Dismiss this Application: No discrimination

15. The crux of what the applicant seems to complain about is that We Agnostics was removed from the GTA Intergroup listings, and that his group no longer has a voice or a vote at GTA Intergroup meetings. We Agnostics identifies itself as a space for agnostics, atheists and freethinkers. As of the time of the filing of this response (May 2016), there are now 12 groups of alcoholics in the GTA and Golden Horseshoe for people who identify or prefer to be among agnostics, atheists and freethinkers. Meetings are held for these 12 groups "every night of the week and twice on Sundays", according to the website aatorontoagnostics.com.

16. Beyond Belief and We Agnostics were members of the GTA Intergroup until early 2011 when the GTA Intergroup became aware that these two groups were listed as A.A. groups even though they were known to present and to suggest modified versions of the A.A. Twelve Steps but not the Twelve Steps as endorsed by the world-wide conscience of the A.A. membership.
17. The original and unmodified Twelve Steps as they appear in the chapter 'How It Works', Chapter 5 of the book *Alcoholics Anonymous*® read in their entirety:
 1. We admitted we were powerless over alcohol--that our lives had become unmanageable.
 2. Came to believe that a Power greater than ourselves could restore us to sanity.
 3. Made a decision to turn our will and our lives over to the care of God *as we understood him*.
 4. Made a searching and fearless moral inventory of ourselves.
 5. Admitted to God, to ourselves, and to another human being the exact nature of our wrongs.
 6. Were entirely ready to have God remove all these defects of character.
 7. Humbly asked Him to remove our shortcomings.
 8. Made a list of persons we had harmed, and became willing to make amends to them all.
 9. Made direct amends to such people wherever possible, except when to do so would injure them or others.
 10. Continued to take personal inventory and when we were wrong promptly admitted it.
 11. Sought through prayer and meditation to improve our conscious contact with God *as we understood him*, praying only for knowledge of His will for us and the power to carry that out.
 12. Having had a spiritual awakening as the result of these Steps, we tried to carry this message to alcoholics, and to practice these principles in all our affairs
18. Beyond Belief and We Agnostics purport to be atheist, agnostic and/or freethinking, and have, amongst other amendments, changed the above Twelve Steps to remove any reference to God and higher power. Beyond Belief and We Agnostics were a part of the GTA Intergroup until May 25, 2011 when a motion was adopted by the GTA Intergroup requiring that two meetings (Beyond Belief and We Agnostics) be removed from the next printing of the GTA meeting books, website and the list of meetings given over the phone

by Intergroup to newcomers. It is to be emphasized and underscored, as explained below, that this was not a vote to remove the groups from A.A.

19. Countless members of the current GTA Intergroup groups subscribe to a personal creed that they would describe as atheistic or agnostic and who have adopted the Twelve Step programme and who then, in their own way, have adapted it to their own creed or belief system. Their membership in their groups and participation in the service efforts of the GTA Intergroup underscores that the GTA Intergroup, as such, does not require a belief in a god or a higher power.
20. Contrary to the allegation of the applicant on page 8 of the application, the decision to remove the two groups from the online meeting directory was not unilateral, but only occurred after the motion was discussed and voted on by the Representatives of the groups. The Beyond Belief group's home page was removed from the GTA Intergroup website because of copyright issues.
21. A majority of GTA Intergroup group representatives supported this direction through a majority vote mainly because the subject groups were not offering the A.A. programme of recovery, that is, the Twelve Steps of Alcoholics Anonymous as formulated. The majority's view was that if a group chooses to use its own interpretation of the Twelve Steps and Twelve Traditions they have the freedom to do so, but they cannot then purport to be helping in furtherance of the GTA Intergroup's purpose of connecting people to the A.A. programme of recovery, the Twelve Steps of Alcoholics Anonymous.
22. On March 27, 2012, a motion was held to re-list the two groups and it was defeated by a majority vote. Later, in June 2012, a referendum was conducted by the GTA Intergroup with respect to a proposed amendment to the GTA Intergroup Procedures and Guidelines so that they would now read: "An A.A. group needs to adopt only the 12 Steps, the 12 Traditions and 12 Concepts of A.A., as adopted by the A.A. General Service Board in order to be recognized as an A.A. group by GTA Intergroup." The use of the word "only" was key as it meant that those who used amended Twelve Steps would be differentiating themselves from the GTA Intergroup. The referendum, with votes from over 1000 individual A.A. members, resulted in the acceptance of this change.
23. The import of this 2011 motion, the 2012 motion to re-list the groups, and the 2012 referendum was that the majority of its groups and their A.A. members were not prepared to affiliate with groups that were not dedicated to connecting people to the Alcoholic Anonymous programme of recovery, the Twelve Steps of Alcoholics Anonymous. The concern of the GTA Intergroup was with respect to *any* variance, in any manner, to the A.A. programme of recovery, the Twelve Steps. This is the key issue that was debated, considered and dealt with by the will of the GTA Intergroup in 2011 and then in 2012. The applicant now seeks in his application to upend this carefully considered and debated decision by the collective conscience of the groups comprising GTA Intergroup. He wants the Tribunal to interfere with and overturn this group conscience and to force the GTA Intergroup to allow his group back in to the GTA Intergroup.
24. Why does the GTA Intergroup care so much about permitting no variance to the Twelve Steps? It has nothing to do with whether one does or does not believe in God. It has to do

with the importance of each of the words of the Twelve Steps that collectively communicate a formula for recovery from a deadly condition. In other words, the A.A. programme of recovery is the Twelve Steps in their entirety.

25. All service work in A.A., whether carried out by the individual, the group, the District, the Area, the Region or A.A. World Services, is directed toward “carrying the message”. The message is referred to in the above noted Twelfth Step: “Having had a spiritual awakening as the [emphasis added] result of these Steps, we tried to carry this message to alcoholics and to practice these principles in all our affairs.”
26. The message being carried by the groups to newcomers is that, as a result of these Steps, we have achieved relief from the obsession and compulsion to drink. All service work is directed toward carrying that clear and specific message and connecting people with the A.A. programme of recovery which is, by definition, the Twelve Steps as adopted by the world-wide conscience of A.A. The voice of, but not the determinants of, that conscience is the General Service Office and A.A. World Services.
27. To understand the essence of the A.A. programme of recovery is to understand that it is a formulation for a process that has proven itself to be effective in freeing literally millions of alcoholics from a devastating addiction. No one can describe with complete reliability how the various elements that make up the recovery program work together to contribute to sobriety. What has been demonstrated empirically is this: it does work. Sobriety being critical to the survival of A.A. members, they think it wise to follow the formula laid out by those who have already demonstrated that the A.A. recovery program works. And “service work”, that is, making efforts to make the A.A. programme of recovery available to others, is a vital component for maintaining one’s own sobriety and sustaining recovery. At the same time, it is universally recognized within the A.A. fellowship that each individual will engage with the Twelve Steps in their own way, in their own time and at their own pace, accepting the parts of it that they can, believing or not believing according to their lights. But the foundation for recovery, the starting point, is engaging with the Twelve Steps.
28. Stated another way, the publication and/or use of altered versions of the Twelve Steps has the potential to dilute the A.A. message and to confuse those who are new to A.A. In 2011/12, a decision was made to consult the group conscience of the GTA Intergroup as to whether groups who have changed the Twelve Steps have interfered with the A.A. recovery programme, a programme most believe to be inviolable. To those who have successfully gone through the A.A. recovery programme, the belief of many (and this is what the group conscience of the GTA Intergroup has expressed) is that you cannot start to change parts of the Twelve Steps without compromising the effectiveness of the process. This sentiment that the Twelve Steps are not to be changed unilaterally stems from the reality that recovery is so profound in its effect on the individual and his/her family, and the cost of failure can be so catastrophic. This is the conviction of the collective conscience of the GTA Intergroup and, we assert, A.A. as a whole.
29. It is important to note that while A.A. presents its Twelve Steps as a suggested programme of recovery, this is not to connote that there are a variety of A.A. programmes of recovery. It is a suggested programme as distinct from many other programmes that are available

such as those offered through the Centre for Addiction and Mental Health, the Donwoods Institute, Homewood, and many private companies, to give just a few examples. The A.A. fellowship, including the groups of the GTA Intergroup, acknowledges and respects that many other entities address the problem of alcoholism. However, the Twelve Steps is the only recovery programme offered by A.A. In addition, A.A. has agreed to adaptations of the Twelve Steps by outside entities for their particular use (see, for example, fellowships such as Clutterers Anonymous, Gamblers Anonymous, Narcotics Anonymous, and so on.

30. To the extent that groups that offer an amended version of the Twelve Steps strive to assist their members and others to recover from alcoholism, the groups in GTA Intergroup wish them every success, as they do all of the other entities dedicated to assisting those who seek sobriety. The GTA Intergroup groups, however, have decided to not affiliate themselves with such efforts. There is a great deal of mutual cooperation that takes place with other entities that provide support for those with alcohol problems. For example, A.A. members engaged in general service work put on A.A. meetings at the Centre for Addiction and Mental Health, at the various detox facilities in Toronto while, at the same time, eschewing affiliation with those institutions and organizations. The majority of A.A. meetings take place within the facilities of religious organizations but without the groups affiliating themselves with those religious organizations. This principle of non-affiliation is founded on a strong conviction that we must stick to what we know and avoid outside entanglements and confusion between A.A.'s programme of recovery and any programmes or activities of those other entities.
31. Again, the A.A. programme of recovery is the only approach that A.A. is prepared to hold out as being an effective programme of recovery from alcoholism. The Twelve Steps is a suggested programme for recovery for those struggling with alcohol but that is not to say that A.A. has alternative programmes of recovery that it also suggests. It does not. The A.A. programme of recovery, the Twelve Steps, is the only one that A.A. offers.
32. A.A. groups and meetings do not take it upon themselves to change the A.A. formula for recovery that is offered to others. Such a change must emanate from the collective conscience of A.A. members and there is an agreed upon process for doing that. According to the Charter of Alcoholics Anonymous, to change or amend the Twelve Steps requires the written consent of at least three-quarters of known A.A. groups worldwide. This protects the integrity of the Twelve Steps in accordance with A.A.'s own Charter. It is also about respecting A.A.'s collective conscience as a whole as expressed through the General Service Conference. A.A. members and their groups at the local GTA Intergroup level are not equipped to endorse or validate an altered version of that recovery programme and believe that they should not be affiliated with any effort to do so. The May 2011 and March and June 2012 decisions reflect that belief.
33. What the applicant wishes to do is just that, though. He and, we presume, his group for the sake of this argument (although there is no corroboration that the applicant is acting on its behalf) seek to adopt a different Twelve Steps and, at the same time, to call themselves part of the GTA Intergroup. The will of the GTA Intergroup spoke in 2011/12. It is vitally important to note that these 2011/12 decisions of which the applicant now complains were not decisions requiring groups and members to believe in God in order to be recognized for the purposes of participating in the GTA Intergroup. There is no such requirement.

The only requirement for a group to be a member of the GTA Intergroup is to commit to adopt the Twelve Steps of Alcoholics Anonymous. It is also important to note that no one at the GTA Intergroup is telling the applicant or his group how to conduct their meetings, or what version of a recovery programme to use. There is no discrimination on the basis of creed on these facts and this application should be dismissed.

34. In passing, we note that because the applicant's group is not considered to be a member of the GTA Intergroup does not mean that these groups cannot participate fully in A.A. Indeed, they can and they do. The principal means of participating in A.A. outside one's own group is through the general service structure, which is the District, Area, and General Service Conference. We are aware that Widening the Gateway, another atheist, agnostic, and freethinking group that is not a member of the GTA Intergroup, participates in A.A.'s District 14, that Beyond Belief is active in service in District 10, and that We Agnostics, which meets in District 12, could be active in that District if it so chose. None of these groups (which do not belong to the Intergroup because of their desire to change the wording of the Twelve Steps) has been denied participation in the formal A.A. general service structure. To be clear, their participation or not in these other areas of service is not a decision that can be taken within the GTA Intergroup forum. It would have to be taken in each of those other service areas, i.e. Districts, Area, Region, General Service Conference. As mentioned above, the Intergroup/central offices do not constitute a formal part of the general service structure of A.A. They are ad hoc arrangements at a local level.
35. If the applicant or his group seek to change the Twelve Steps in order for these Steps to accommodate the applicant's creed and for other groups to then accept them as participating members of GTA Intergroup, they can participate in the channel through which that could be done; namely the general service structure. The applicant and the members of his group could seek to get the support of three quarters of all A.A. groups worldwide by persuading the General Service Conference of A.A. to conduct a referendum. This could be done by getting the issue placed on the agenda of an annual General Service Conference. The applicant and the members of his group have chosen not to follow the prescribed path that is available for that purpose. Pursuing that path would then not necessitate the result that this application seeks, which is the preference for the applicant's creed over the essential recovery programme of the groups/members of the GTA Intergroup and their efforts to make that programme available to others.
36. While the *Code* does not define "creed", courts and tribunals have defined it to include religious beliefs and practices, and non-religious belief systems too that, like religion, influence a person's identity, worldview and way of life. As set out above in some detail, the collective conscience of the GTA Intergroup is founded upon the A.A. programme of recovery, the Twelve Steps. It encapsulates a system that clearly influences an A.A. member's identity, world view and way of life. To the extent that there is a tension or conflict between the applicant's creed and the GTA Intergroup members' reliance on the Twelve Step programme to ensure their recovery, the applicant should be able to continue to do what he does today: attend meetings of groups that adapt the Twelve Steps, participate in the A.A. general service structure as he sees fit, and allow the GTA Intergroup with its constituent groups and members to continue its service work as it has been doing.

37. What we believe the applicant is doing is attempting to use the Tribunal and the *Human Rights Code* to attempt to force volunteer members and groups of the GTA Intergroup to give a voice and a vote to a group that does not share the GTA Intergroup's understanding of the programme of recovery, the Twelve Steps of Alcoholics Anonymous. The applicant wants the Tribunal to force volunteers at the GTA Intergroup to send people, especially newcomers looking for help, to a group that does not follow the carefully evolved and precise formulation for a process that has proven effective in freeing millions of people from addiction. The conscience of the GTA Intergroup was consulted in 2011/12, and the decisions made then and followed since, clearly arose from concern from group representatives that their service efforts (and those of their members) through their volunteer time and monetary contributions, not be used to direct people to a recovery programme other than the one that they themselves were able prepared to endorse as effective. If the applicant wants to change the Twelve Steps he or his group may do so but members of the GTA Intergroup will not (and cannot because of their convictions) countenance We Agnostics' presence in the GTA Intergroup, or on its website, meeting lists and so on so long as it acts contrary to the service objectives of GTA Intergroup and its members.
38. The applicant acknowledges in his application that he supports four local agnostic meetings or groups. He has been free throughout this process to meet with others who share his beliefs, and to read and apply the Twelve Steps in the way that he prefers. In this regard, the applicant describes his creed in his application as follows: "We allow for the non-use of "god" or "higher power" in our meetings." It is critical to state this: no one at the GTA Intergroup is saying to the applicant or to We Agnostics: you cannot use these terms in your meetings. Any group or anyone may use the Twelve Steps as they choose. What they may not do, though, is proclaim to the world: we are part of the GTA Intergroup. If they do not choose to adhere to the formulation as captured by the language contained in the Twelve Steps, their group cannot be part of the GTA Intergroup as they are not focussed on the same service objective as the other groups and their members, connecting people to the A.A. programme of recovery, the Twelve Steps. This is the will and the conscience of the GTA Intergroup.

Reason Five to Dismiss the Application: Section 18

39. Section 18 of the Code is found under the heading of "Special Interest Organizations" and states, in part, that the rights under Part I with respect to services and facilities is not infringed where membership or participation in a religious, philanthropic, educational, fraternal or social institution or organization that is primarily engaged in serving the interests of persons identified by a prohibited ground of discrimination is restricted to persons who are similarly identified.
40. The GTA Intergroup is a charitable, unincorporated entity that could be described as a special interest organization. The people which it serves are alcoholics. Alcoholism is a disability as that term is understood under the *Code*. If the applicant succeeds on the first four points made above, it is respectfully submitted that section 18 is a complete defence to the claim that his rights have been infringed.