



HUMAN RIGHTS TRIBUNAL OF ONTARIO

BETWEEN:

Lawrence Knight

Applicant

-and-

**A.A. World Services Inc., General Services Board of
Alcoholics Anonymous Inc. and Greater Toronto Intergroup**

Respondents

INTERIM DECISION

Adjudicator: Laurie Letheren
Date: February 17, 2016
File Number: 2014-18832-I
Citation: 2016 HRTO 208
Indexed as: **Knight v. A.A. World Services, Inc.**

APPEARANCES

Lawrence Knight, Applicant)	Self-represented
)	
)	
)	
Greater Toronto Intergroup, Respondent)	James Henderson, Counsel
)	
)	
General Services Board of Alcoholics Anonymous Inc. and A.A. World Services, Inc., Respondents)	J. Anthony Caldwell, Counsel
)	

INTRODUCTION

[1] This Application alleges discrimination with respect to services because of creed contrary to the *Human Rights Code*, R.S.O. 1990, c. H.19, as amended (the “Code”).

[2] The applicant alleges, among other things, that the respondent, GTA Intergroup of Alcoholics Anonymous (GTAI), is responsible for maintaining a list of all Alcoholics Anonymous meetings in the Greater Toronto Area. The applicant alleges that GTAI removed the applicant’s Alcoholics Anonymous group from its directory, website listing and listing given over the phone because the group members are agnostic. It is further alleged that the members of the applicant’s group have been denied the right to vote and to have their voices heard on matters that are important to all AA members.

[3] The applicant alleges that the respondents, A.A. World Services Inc., General Services Board of Alcoholics Anonymous Inc., discriminated against him when it failed to direct the GTAI to include his group as a member of the intergroup.

[4] In Interim Decision, 2015 HRTO 1306, the Tribunal directed the Registrar to schedule a summary hearing teleconference in order to determine the issue of whether the applicant had a reasonable prospect of demonstrating that the respondents discriminated against the applicant in the delivery of its services when it removed his group from its directories, and denied them the rights that come with membership in the intergroup.

[5] A summary hearing was held on January 13, 2016 during which time I heard submissions from the applicant and each of the respondents.

[6] In addition to listing and de-listing all the AA groups in the GTA, it appears that the GTAI collects and distributes donations and distributes AA literature that is published by the General Services Board of AA.

[7] The respondent, GTAI, submits that the Alcoholics Anonymous (AA) recovery program follows 12 steps and that these steps involve a belief in God. GTAI submits that evidence indicates that its purpose is to practice the 12 steps and practice a belief in God. In order to be part of GTAI, a group must be prepared to practice the 12 steps and thus the members of the group must have a belief in God. GTAI submits that it is not denying the applicant's group the right to form its own intergroup and follow its own process.

[8] GTAI submits that is a special interest group that is protected, by section 18 of the *Code*, from a finding that it has breached the applicant's *Code* rights. Section 18 of the *Code*, states,

Rights ... are 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.

[9] GTAI also submits that it is a bona fide requirement that groups that wish to be part of this intergroup must have a belief in the higher power of God.

[10] The applicant submits that AA is a fellowship of men and women who share the common desire to achieve sobriety. The only requirement for membership in AA is this desire to achieve sobriety and to help others in this achievement. The applicant referenced a number of publications which he alleges support a position that AA was not meant to be presented on any religious terms and that atheists and agnostics have been included as members in other parts of Canada and the United States over the years in order to promote an inclusive approach to AA membership rather than promote any religious perspective. He referenced documents that discussed the many paths to spirituality, including "making the AA group itself the higher power".

[11] It is obvious that there is a dispute on the facts and legal issues that are fundamental to a determination on whether the applicant's rights under the *Code* have

been breached by the respondents' actions. At this point, I am not prepared to find that the applicant has no reasonable prospect of demonstrating that his rights to be free from discrimination on the basis if his creed have been breached. There are a number of complex legal issues that will need to be addressed in this Application and they cannot be properly determined without the benefit of a full evidentiary record. It would not be appropriate to dismiss this Application at this point.

ORDER

[12] The Application will proceed through the Tribunal process.

[13] The respondents shall file their Responses within 35 days of receiving this Interim Decision.

[14] I am not seized.

Dated at Toronto, this 17th day of February, 2016.

“Signed By”

Laurie Letheren
Vice-chair