

G20 beating trial: Police lawyer fails to shake Adam Nobody: DiManno

On the stand over the past two days in the G20 police beating trial, alleged victim Adam Nobody has been a model of calm.

By: [Rosie DiManno](#) Columnist, Published on Thu Jun 06 2013

From what I know of him, go-to cop lawyer Harry Black is a passionate Maple Leaf fan.

So, a hockey analogy: Thus far in the trial of Const. Babak Andalib-Goortani, Black's shots keep missing the net.

In his much anticipated cross-examination Thursday of Adam Nobody — the 30-year-old stage builder who was allegedly beaten by police during the G20 debacle at Queen's Park in 2010 — Black failed to force even a tough blocking save out of the witness.

On the stand over the past two days, Nobody has been a model of calm, at times appearing almost bemused by the questions posed and never remotely nettled. His only mildly defensive retort came when Black attempted to create a provocative equation out of the civil lawsuit Nobody has filed against Toronto police, encompassing a broader target of officers and Chief Bill Blair as well.

"When you're lying in bed, are you sort of looking at the ceiling thinking about \$14.2 million?" Black asked, leaning hard into his slapshot from the point.

Nobody: "No, I'm not. I'm thinking about what I've got to do tomorrow at work."

That dollar figure, by the way, isn't quite accurate because it includes damages sought by other members of Nobody's family.

A brief reference to what Nobody's civil lawyer may be charging for his services brought an objection that it skated too close to the edge of lawyer-client privilege, Justice Louise Botham agreeing. What Black had attempted putting to the witness: "Now look Mr. Nobody, nobody . . . uh . . . no person . . . lawyers don't work for free."

The witness readily agreed. "They certainly do not."

Shooed away from that line of inquiry, Black deked, suggested it would surely help the civil suit if Nobody put up a solid performance at this criminal trial. Nobody easily deflected that backhand.

"I think it can help further the justice system a lot if I put in a solid effort here."

Black: "Let's just leave the justice system out of it."

Really? Is that not the crux of any trial — the justice system in full flourish?

Black persisted: “Is it in your head, this thought, ‘I better be careful because if I give the wrong answer it might hurt my lawsuit?’”

Nobody: “It’s not in my head.”

Black: “Huh.”

The veteran lawyer made a significant issue out of interviews that Nobody has given since the events of June 26, 2010, claiming he’d found 41 different media reports wherein the witness had been quoted. Nobody noted that he’d given two interviews in late 2010, after Blair had unleashed a tirade in radio comments, claiming a videotape shot by a bystander during the confrontation between protesters and police on the legislature lawn had been “significantly tampered with and fabricated,” further suggesting police were in the middle of arresting a violent armed offender when Nobody was tackled to the ground.

“The first time I did an interview was in response to the police chief saying I was an armed offender,” Nobody shot back.

Blair subsequently apologized to the individual who shot that footage — John Bridge, a web designer who testified earlier in the week. That two-segment video, along with footage from other citizens, has been played repeatedly in court.

“You’re not using the press as a tool to advance your civil action?” Black continued.

Nobody: “No, I’m not.”

It should be stressed that much of the media coverage arose from a news conference Nobody held after Blair’s radio conniption. This occurred after the Special Investigations Unit had spent nearly six months claiming they had been unable to identify any of the officers involved in Nobody’s takedown, which is why no charges had been laid against anybody. The Toronto Star, however, obtained some of the citizen footage which is now trial evidence and published a front-page photograph showing an officer’s clearly recognizable face, visor raised as he appeared to be wielding his baton at the prostrate Nobody.

Andalib-Goortani was charged shortly thereafter. He has pleaded not guilty on the charge of assault with a weapon, that weapon being his night stick.

Yet Nobody making his case, in part, through the media — which is entirely within his civil rights — is ostensibly a black mark on his character.

Black posited that there were “media clamouring for somebody to be charged,” which sounded an awful lot like impugning the investigative competency of the SIU. But Nobody mildly agreed. “And I thank them for it.”

There is no question Nobody was brought down violently by a cluster of cops in that late Saturday afternoon episode — or it might have been early evening, the exact timing of that thumping encounter in some dispute. At issue is whether Andalib-Goortani — but one in what appears like a pile on of half-a-dozen cops — used excessive force and whether police had reasonable grounds to chase down the “suspect” from among the vast crowd of protesters that had assembled.

Black has spent considerable time trying to plot Nobody's movements on that day, from the moment he left his home close by Queen's Park around 3:30 p.m. Indisputably, Nobody meandered quite a bit around the legislature area, at one point peeling off to buy a 12-pack of beer — this after a water bottle containing whisky was knocked out of his hand during an earlier pushback thrust by the police line.

The defence lawyer contended the takedown occurred much later — he pinned the arrest at 7:57 — than Nobody and Bridge have testified.

“You were there from shortly after 3 until almost 8 o'clock, almost five hours,” said Black, further proposing that Nobody had been among demonstrators baiting officers on University Ave.

“You were encouraging people to commit breach of the peace,” Black accused.

Nobody adamantly denied this.

“You were attempting to rile that crowd up.”

Nobody: “No.”

Black promised: “The evidence is going to reveal that you had been identified as a person to be arrested on a number of occasions after you arrived.”

At that point, the judge interjected: “How can he speak to what he doesn't know?”

In another arena, that might be called goaltender interference.