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Cop who assaulted G20 protester pleads guilty at police hearing

The only officer criminally convicted after Toronto's notorious 2010 G20 summit pleaded guilty to misconduct at a police disciplinary hearing Tuesday.

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Const. Babak Andalib-Goortani arrives at 361 University Ave. courthouse in January.

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40 years later, bike lane coming to Bloor By: Wendy Gillis News reporter, Published on Tue Oct 06 2015

The only police officer criminally convicted for using excessive force at Toronto's notorious G20 summit pleaded guilty to misconduct at a police disciplinary hearing Tuesday, more than five years after he assaulted protester Adam Nobody.

Const. Babak Andalib-Goortani expressed no emotion as he told retired justice Lee Ferrier he was pleading guilty to one count of discreditable conduct for having a criminal conviction, an offence under the province's Police Services Act. The officer was found guilty of assault with a weapon in January, though he served no jail time.

Andalib-Goortani's hearing is the final Toronto police misconduct tribunal related to the June 2010 summit, a weekend now infamous for wide-scale civil rights violations — including the largest mass arrest in Canadian peacetime history. This summer, Toronto police Supt. Mark Fenton became the only senior officer found guilty of misconduct for ordering the mass 'kettling' of hundreds in a torrential downpour.

Andalib-Goortani's disciplinary hearing was put on hold while the criminal case against him worked its way through the courts, a years-long saga that included the officer's successful appeal of a 45-day jail sentence. He is currently working for the Toronto police performing administrative duties.

Prosecutor Brendan van Niejenhuis asked for a penalty of a one-year demotion in Andalib-Goortani's rank from first-class constable to fourth-class. The reduction would come with a substantial reduction in pay; fourth-class constables earn a base pay of \$64,702, while first class officers earn \$92,433.

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ANDREW FRANCIS WALLACE

Adam Nobody, victim of Const. Babak Andaalib-Goortani, speaks to media outside the courthouse in January.

Andalib-Goortani's penalty must be severe for several reasons, van Niejenhuis said, including the inherent seriousness of assaulting a member of the public — "assault of a prisoner is particularly egregious," he said — and the damage his actions have caused to public perception of the Toronto Police Service.

Van Niejenhuis told Ferrier, who will rule on the penalty, that he should also take into consideration that Andalib-Goortani did not come forward to identify himself as an officer involved in the assault on Nobody during a protest on the lawn of Queen's Park on June 26, 2010.



ELDAR CUROVIC

Crowds gather at the intersection of Queen and Spadina at the G20 summit on June 27, 2010.

The officer was only identified six months after the G20 Summit, when citizen-shot video showing the assault surfaced, and when the Toronto Star ran a story about newly obtained video footage showing the officer's face after he assaulted Nobody.

Andalib-Goortani's lawyer, Harry Black, walked Ferrier through some of the footage of Nobody's violent takedown, describing the context of the assault and demonstrating that numerous officers were involved. At one point, Nobody yelled out from the gallery: "He kneed me in the face right there."

The outburst lead to a brief, heated exchange after Ferrier left the room, with Black telling Marc Gibson, Nobody's lawyer, to control his client.

"You do that again, Mr. Nobody, I'll have you removed," Black said.

[&]quot;Please don't talk to me," Nobody responded.

"Don't you talk," Black shot back.

Gibson argued a demotion of Andalib-Goortani's rank would not go far enough and the appropriate penalty should be immediate dismissal from the force.

"The public would rightfully be anxious about arming (Andalib-Goortani) again," Gibson said, adding Nobody has lost his faith in police and is to be fearful around them to this day.

The hearing continues later this month.

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