
JAMES TOAL

Superintendent (1936-1968)

*Written & researched by John Burchill
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Every year since 2000, a serving member of the Winnipeg Police is recognized for his or her excellence in policing and community service with the “*James Toal Award of Excellence.*”

In my fourth installment in a series of articles looking for the most significant police officers to come out of Winnipeg – individuals who made sustained and substantial contributions to policing in Winnipeg and to their community – I look at James Toal. The man behind the award.

James was born on July 3, 1913, and raised in Winnipeg. He was a student at St. John’s Technical and Isaac Newton High Schools. Prior to joining the Winnipeg Police, he worked for the Winnipeg Free Press in their Circulation Department as a paper carrier from 1926 until 1936.

While we might not think of a paper carrier as the precursor to a police job, 30 percent of Canada’s labour force was out of work during the 1930s, and one in five Canadians was dependent upon government relief for survival during the Great Depression. As such, Toal was probably one of the “lucky” ones to have regular employment.

However, it was likely an incident on Saturday, December 14, 1935, that cemented his desire to join the ranks of the Winnipeg Police. On that day, James and circulation manager Cyril Collins were leaving the Free Press Depot on Aberdeen Avenue and Charles Street with the day’s cash receipts when they were approached by two masked men, one brandishing a revolver. Rather than hand over the \$1200 in cash they were carrying (about \$25,000 today), James and his manager fought off the would-be robbers. Several shots were fired during the struggle before the suspects fled empty-handed in a stolen car driven by a third suspect.

SHOTS FIRED WHEN TWO ARMED THUGS FAIL IN ATTEMPT

Give Way Before Show of Resistance By C. W. Collins and James Toal

Shots were fired by two bandits at a Free Press depot manager in an attempted hold-up at No. 9 depot on Charles street, between Redwood and Aberdeen avenue at 3 o'clock Saturday afternoon. Only quick thinking and presence of mind prevented successful completion of the robbery.

Foiled in their attempt to take the money carried by C. W. Collins, depot manager, and James Toal, carrier, of 35 Cathedral avenue, one of the bandits fired two shots, both of which struck the front of the depot.

Just a few months later, James applied for a position as a constable with the Winnipeg Police. Although there is no reference to the robbery, the Winnipeg Free Press gave James a glowing reference, commenting that he was one of the exceptionally few employees to receive a gold watch from the company in recognition of his perfect service. After completing his background investigation, James was hired on June 11, 1936, and began working as a beat officer in downtown Winnipeg.

On May 5, 1943, James applied for and was granted a leave of absence to join the Royal Canadian Navy Volunteer Reserve (RCNVR) for the duration of World War II. He served as a gunner in the Merchant Navy, trading between Canada, USA and India. After the war, he was discharged from the Navy and resumed active duties on December 10, 1945.¹



During World War II, James Toal, seen here in 1966-67, served as a navy gunner on armed merchantmen vessels trading between Canada, USA and India.

¹ A merchant navy (or merchant marine) is a fleet of commercial vessels that carries troops and supplies in wartime. According to the Canadian Encyclopedia, Canada's merchant navy sailors sailed all the world's oceans, through storms, surface raiders and submarines to deliver essential supplies. The Atlantic however, was the most important. In the opinion of Canadian Rear Admiral Leonard Murray, who commanded the Canadian Northwest Atlantic theatre during the war, "*The Battle of the Atlantic was not won by any navy or air force, it was won by the courage, fortitude and determination of the British and Allied Merchant Navy.*"

In March 1947, James was promoted to Detective. In 1951 he was promoted again to Detective Sergeant and then to Sergeant of Detectives in the Morality Division in 1953. In 1954 he was promoted to Inspector in the Morality Division and then Superintendent in 1962. During that time, James was assigned to the FBI National Academy in Washington D.C. for 12 weeks from August to November 1957, taking courses in crime detection, criminal investigation, administration and organization, as well as espionage and sabotage.

James retired from the Winnipeg Police effective July 27, 1968. On retirement, James was hired as a Program Director with the Alcoholism Foundation of Manitoba (AFM) and was later appointed Executive Director in 1974. James initially joined the Board of AFM in 1965 when he was still a police officer. In an interview with the Free Press in 1974, James said he originally became involved with AFM during his days as a Morality Inspector when he saw firsthand the effects of alcohol on people – when *“liquor meant a lot – so much in fact that their lives became affected with broken marriages, lost jobs, crime, chronic ill health and eventually death. Something needed to be done ... alcohol abuse is by far the worst dependency problem we have in this community – it’s a hundred times worse than the narcotics problem”*.

Outside of his work with AFM, James also took on several projects related to law enforcement for the Provincial Government and served as a Bencher with the Law Society of Manitoba for 16 years from 1975 to 1991. Three of the more significant projects that James was assigned to included:

- As sole Commissioner investigating the events surrounding the Brandon Police Department’s publication of a report on “Problem Metis Families” in Brandon and allegations of police harassment against native peoples in 1971/72.
- As Director of Remand Services overseeing the transfer and refurbishing of the lock-up in the Public Safety Building from Winnipeg Police control to Manitoba Corrections in 1977/78, and
- As co-chair of a special Law Society Committee with a young Hymie Weinstein that lawyers were soliciting clients by offering gifts to remand staff and prisoners in 1981.

Law society probes report of lawyers soliciting cases

By Gregg Shilliday

Allegations that lawyers are offering gifts to Public Safety Building remand centre employees in return for client referrals have led to a confidential investigation by the Law Society of Manitoba.

The society’s discipline committee has appointed criminal lawyer Hymie Weinstein and former remand centre director James Toal to investigate the charges and report back to the committee.

According to a letter sent to members of the society, the pair will investigate allegations that lawyers:

- Offered or provided gifts to remand

centre personnel in return for client referrals:

- Urged existing clients in custody to solicit new clients who are also in custody, in return for a reduced fee;
- Distributed business cards to remand centre personnel and police officers to be passed out to potential clients at the lockup.

Spokesmen for the remand centre and the police department yesterday denied the allegations, adding, however, that proof of such charges would lead to automatic disciplinary action.

Weinstein and Toal said yesterday that their examination into the charges was incomplete and that they hoped to finish their report by next month.

Weinstein said the complaints originated from remand centre staff. He said if his investigations prove the complaints to be true, the accused lawyers would be charged under the Law Society Act.

“When this happens, an internal hearing is held, complete with prosecutors and defence lawyers.

“If a lawyer is convicted, he could be suspended or even disbarred.”

Weinstein said the chance of a cover-up was unlikely because “solicitation of clients is a thing that reflects badly on the whole profession and we can’t allow that.”

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Weinstein: report next month

Juba ire raised by criticism of police body

Winnipeg Mayor Steve Juba says he's tired of the "unwarranted criticism" the Winnipeg police commission has received recently and that it's time somebody fought back.

"I've been quiet until now," he told a commission meeting Wednesday, "but I'm taking off the gloves and will go at them (critics) bare-fisted."

Mr. Juba was referring to recent criticism by city alderman Joseph Zuken, who said that "incompetency" and "wobly leadership" on the part of the commission have contributed to dissatisfaction among the 550-man police force.

"This type of criticism is used wholly for political expediency," Mr. Juba said, "and I assure you, if this is the kind of game he (Mr. Zuken) wants to play . . . I can play along."

The mayor's outburst followed an appeal by Alderman Warren Steen, who asked the commission members to consider applications for the position of chief constable from throughout Canada.

Mr. Steen said the commission has made a "serious mistake" in its determination to select a successor to former chief George Blow from within the ranks of the force.

If they are to find the best man for the job, he told commission members, they should not restrict applications from anybody.

"There is a substantial number of people who feel that James Toal (a former police inspector) should be permitted to apply for the job. The present method of selection is designed deliberately to exclude Mr. Toal and people like him from the position."

Mr. Juba said it has become police commission policy to select the chief constable from within the force and that he intends to keep it that way.

"If we can't find one person in the 550-man force — then we've sure made a boo-boo by hiring them."

He said the commission probably will announce its selection within three weeks.

With all the respect that James had within the legal community, one might wonder why he never applied for the position of Chief of Police? Well, in a way, he did.

After the resignation of Chief George Blow in the spring of 1970, City Councillor Warren Steen² put forward James' name as a possible candidate who had the support of a substantial number of people. However, Mayor Steven Juba, who was also Chair of the Police Commission at the time, flatly refused to entertain any "outside" names for Chief.

Explicitly referring to James, Juba stated in the September 24, 1970, edition of the Winnipeg Tribune that "*if we can't find one person in the 550-man force — then we've sure made a boo-boo hiring them*". Juba continued in the Free Press the same day, "*I am taking off the gloves and going at it bear-fisted with anyone going against the police commission.*"³

Speaking to a gathering of the YWCA in December 1968, James said he would like to see intoxicated persons detained by the police taken to a special hospital unit (and not the police lock-up). "*We'd like to process most of them through hospital facilities where they will get immediate care ... if they need medical help, the hospital can look after them immediately. If they have a serious drinking problem, we can work with them from there.*"

At the time, apprehending drunks was an municipal offence. However, on September 19, 1969, the *Intoxicated Persons Detention Act*, S.M. 16, was passed, making the detention of intoxicated persons a preventative measure to protect them from being a nuisance or danger to themselves or others, and only when they could not be turned over to a responsible adult.⁴

² Warren Steen was the brother of future Mayor and MLA Robert Steen. Warren served City Councillor from 1970 to 1975, before running for a seat in the provincial legislature. Warren was first elected MLA in 1975 and retained his seat until the 1986 provincial election.

³ Although James had only been retired for two years, Mayor Juba still considered him an "outsider". However, it was evident from the final selection of Norm Stewart as Chief, that Juba had had his eye on Deputy Chief John C. Webster the entire time as he was not happy with Stewart's selection either. In any event, the City would go on to hire three "outside" chiefs in the next thirty-seven years starting with retired RCMP Assistant Commissioner Dale Henry in 1991. Henry was followed by former Edmonton Police Deputy Chief Dave Cassels in 1996 and retired Winnipeg Police Inspector Keith McCaskill in 2007.

⁴ At the time IPDA (Bill 21) was introduced by then Attorney General Sterling Lyon, he stated "*within our jail system the average number of jail days for intoxication in the Province of Manitoba is 30,000 a year ... it would be in the public interest to try to bring this type of legislation into effect ... [This Act] is directed towards protecting the public ... what is at stake here is much more than the question of raising revenue by fines or the incarceration of people who are unable to pay fines*".

Although an intoxicated person would still be detained at the police lock-up, the *Intoxicated Persons Detention Act* (IPDA) was further amended on June 18, 1977, providing that a person arrested by the police could also be taken to a designated “detoxification centre” where one existed. Although gradual, this legislative change coincided with the transition of the Winnipeg Police lock-up to the Province of Manitoba and James’ continued belief that “*drunks [should be] taken to sober up at detoxification centres instead of remand centres.*”

Some hospitals, James said at the annual meeting of the Main Street Project on April 19, 1978, “*should be designated as ‘detox’ centres for this purpose.*” In just a couple of years the Main Street Project, which was already offering shelter to “walk-ins” would become a designated detoxification centre where individuals detained by the police could be taken to sober up.

After his term as Executive Director with AFM expired, James remained as a government appointment on the Board of Directors serving from 1978 to 1986. As a result of James long standing commitment to helping men overcome addictions, AFM named their treatment centre at 1041 Portage Avenue the James Toal Centre.⁵

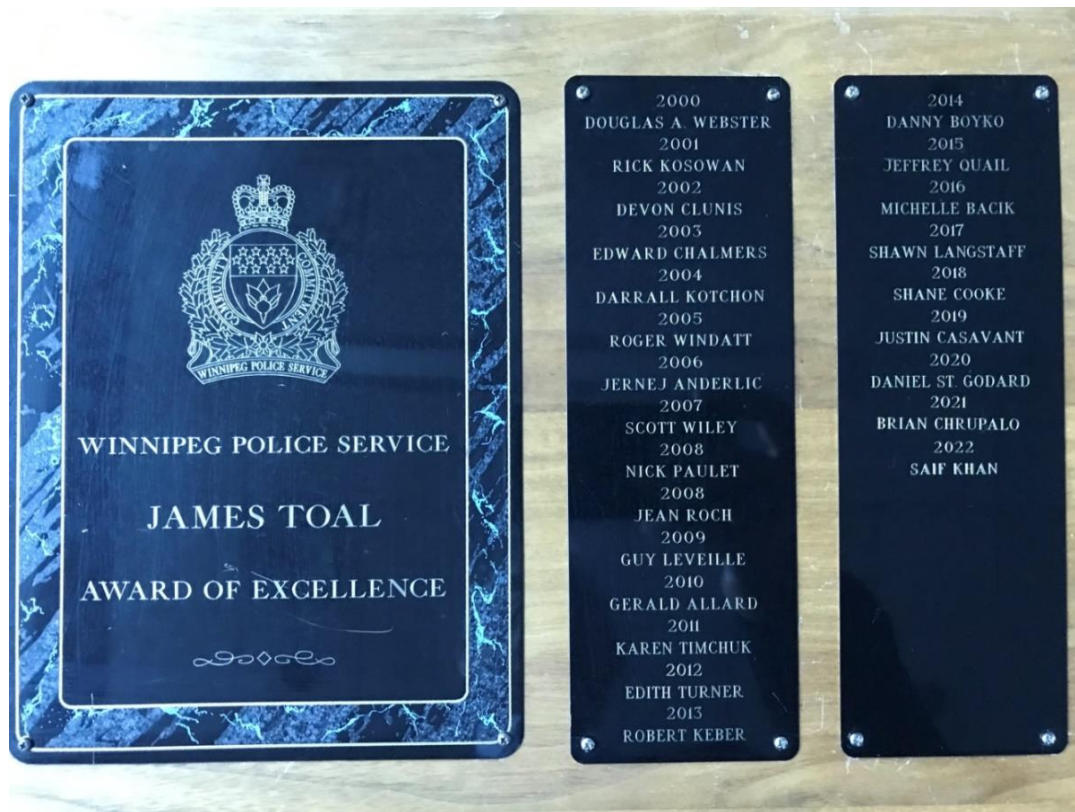


James Toal Centre was previously located at the Addictions Foundation Manitoba (AFM) offices, 1041 Portage Avenue, Winnipeg

James suffered a fatal heart attack at his home in Winnipeg on February 13, 1999. In recognition of his life’s work former Deputy Chief Paul Johnston and Crown Attorney Jack Montgomery came together with Chief Jack Ewatski and Winnipeg Police Association President Carl Shier to establish the James Toal Award of Excellence.

Starting in 2000 the James Toal Award would be given out annually to recognize a member of the Winnipeg Police Service that best exemplifies the qualities exhibited by James throughout his career and in his service to the community.

⁵ Now part of the River Point Centre, 146 Magnus Avenue.



James Toal Award of Excellence.
Plaque of recipients that hangs in the Winnipeg Police Executive Offices.

NOTE: Anyone wishing to recognize a police member they feel made sustained and substantial contributions to policing in Winnipeg and its surrounding municipalities during the past 150 years is asked to send me their name and (if known) a brief description of their accomplishments.