

# *The Police as a Social Service in Early Twentieth-Century Toronto*

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*This article examines a neglected aspect of police history, the provision of social welfare services. The Toronto Police Morality Department, prior to the formation of a family court in 1929, played an important dispute resolution role for working-class families which included the adjustment of domestic quarrels and the collection of support payments. Police stations were used to provide shelter to thousands of transients, a service that had little direct link to crime control. The hiring of policewomen in 1913, although a token effort, was a manifestation of the contemporary social service and moral purity movements. Social service, if relatively undeveloped compared to the police institution's more coercive operations, helped to maintain police legitimacy.*

*Cet article porte sur un aspect négligé de l'histoire policière, soit les services sociaux assurés par les corps policiers. Avant la mise sur pied d'une cour de la famille en 1929, le service de la moralité de la police de Toronto jouait un rôle important dans la solution des conflits qui pouvaient survenir au sein des familles ouvrières, entre autres, dans les querelles domestiques et le recouvrement des pensions alimentaires. Les postes de police servaient à héberger des milliers de sans-logis, fonction qui avait peu à voir avec la répression du crime. L'engagement de policiers féminins en 1913, bien qu'il ne constituait qu'un effort symbolique, était une réponse aux préoccupations sociales de l'époque et à l'action des groupes de pression qui prônaient la pureté des mœurs. Si le travail social des policiers était loin d'avoir l'importance de leurs tâches habituelles, il n'en a pas moins contribué à assurer la légitimité de la police.*

The history of urban policing in Canada, although a relatively neglected field by American and British standards, is becoming more popular.<sup>1</sup> Studies published in the last decade have been influenced by work in 1970s social history which linked the rise of nineteenth-century industrial discipline to

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1. Patricia Morton, "The New-Police Historiography", *Historical Reflections*, XII, 2 (Summer 1985), pp. 305-309; Samuel Walker, *A Critical History of Police Reform: The Emergence of Professionalism* (Toronto: Lexington Books, 1977); Eric Monkkonen, *Police in Urban America, 1860-1920* (Cambridge: Harvard University Press, 1981); Sidney Harring, *Policing a Class Society: The Experience of American Cities, 1865-1915* (New Brunswick, N.J.: Rutgers University Press, 1983); Robert Reiner, *The Politics of the Police* (New York: St. Martin's Press, 1985); Clive Emsley, *Policing and Its Context, 1750-1870* (London: MacMillan Press, 1983); John Weaver, "Introduction: Trends and Questions in New Historical Accounts of Policing", *Urban History Review*, XIX (October 1990), pp. 79-83.

attempts by government, churches, social agencies and criminal justice institutions to reshape the culture and behaviour of the masses. Implied in this historiographic tradition is the conscious strategy of the dominant classes to cultivate or impose bourgeois values upon the recalcitrant proletariat.<sup>2</sup> The most obvious examples of this police role were strikebreaking, the harassment of the political left and the monitoring of working-class communities. A relatively recent study of the nineteenth-century Toronto Police Department reflects this 1970s tradition, arguing that the police constituted a “coercive agency of social reform”.<sup>3</sup>

Historians of criminal justice increasingly have become aware of the welfare aspects of institutional development. Stipendiary magistrates’ courts, the jails and the police were not simply mechanisms of domination. This study looks at the working class not as victims, but as clients, of the Toronto police from the early twentieth century until World War II. Three ‘social services’ are discussed: the Morality Department, the police station shelter and the employment of policewomen. It is suggested that many members of the working class regarded police stations not as outposts of impersonal class authority but as neighbourhood crisis intervention centres. In Toronto, people did not always come into contact with the police as offenders or potential offenders; many simply wanted help. In an age when jails still sheltered the aged, mentally handicapped and poor, the police were expected to provide limited welfare services not always related to the enforcement of the law.

Historians generally have minimized the social welfare aspects of nineteenth and early twentieth-century municipal policing, although it is recognized that the institution performed a service role.<sup>4</sup> Contemporary American law enforcement experts expounded the view that miscellaneous duties detracted from the basic police role — the prevention of crime and enforcement of criminal law. In his 1920 classic *American Police Systems*, Raymond Fosdick argued that “irrational development” and the backwardness of civilian agencies had saddled the police with many “unnecessary functions”.<sup>5</sup> In Toronto, for example, the police operated a motorized ambulance, on an ability-to-pay basis, until 1934. Several stations housed public health nurses. Police, particularly senior officers, were not comfortable with this role,

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2. Michael Ignatieff, “State, Civil Society and Total Institutions: A Critique of Recent Histories of Punishment”, in David Sugarman, ed., *Legality, Ideology and the State* (Toronto: Academic Press, 1983), pp. 183-211.

3. Nicholas Rogers, “Serving Toronto the Good: The Development of the City Police Force”, in Victor Russell, ed., *Forging a Consensus: Historical Essays on Toronto* (Toronto: University of Toronto Press, 1984), p. 136. See also Greg Marquis, “‘A Machine of Oppression Under the Guise of the Law’: The Saint John Police Establishment, 1860-1890”, *Acadiensis*, XVI, 1 (Autumn 1986), pp. 58-77.

4. An important exception is Monkkonen, *Police in Urban America*. For the service role of Canada’s National Police Force, see R.C. Macleod, *The North-West Mounted Police and Law Enforcement, 1873-1905* (Toronto: University of Toronto Press, 1976).

5. Raymond Fosdick, *American Police Systems* (1920) (Montclair: Patterson Smith, 1969), pp. 208-213.

but recognized its necessity both as a means of bolstering their image and facilitating surveillance. Eric Monkkonen, in his study of American urban police themes for the period 1860-1920, interprets the "broad social function" of policing as part of a strategy of managing the "dangerous classes", a strategy that included social welfare.<sup>6</sup> Samuel Walker's discussion of police social work emphasizes the ideology of reform, police cooperation with social workers and legal reformers, and the innovation of policewomen. Walker and Monkkonen both suggest that with the increasing involvement of the state in welfare activities and the growth of social agencies, urban police departments abandoned most commitments to social service in order to concentrate on crime control.<sup>7</sup>

The Toronto police, as part of a web of state and voluntary agencies sharing jurisdiction over the lower strata of the working class, could ill afford a policy of complete independence. Information, for example, was an exchangeable commodity. The relationship was symbiotic; organizations such as the Childrens' Aid Society relied ultimately on police intervention to further child welfare work. Turn-of-the century social service was prompted primarily by religiously-inspired middle-class volunteers who thought "in terms of prohibiting certain kinds of behaviour".<sup>8</sup> By the 1930s, the religious component of social work had faded somewhat, but debates over social issues, such as the impact of beer parlours, retained a moralistic dimension. Throughout the early twentieth century, there were important tensions between the police and social service organizations. The "misguided" nature of moral, social and legal reformers was a common topic at meetings of the Chief Constables Association of Canada, where Toronto officers played a key role, and in the pages of the association's publication, *The Canadian Police Bulletin*, produced at Toronto police headquarters.<sup>9</sup> Inter-agency conflict, although not always explicit, formed an important part of the occupational consciousness of both policing and the emerging social welfare profession. In 1920, this relationship was dramatized at the hearings of the Public Service Commission investigating Ontario's judicial system. Toronto police officials, appearing as witnesses before the commission, cross-examined and attempted

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6. Monkkonen, *Police in Urban America*, pp. 105-106.

7. Walker, *A Critical History of Police Reform*, pp. 80-93.

8. R.C. Macleod, "The Shaping of the Canadian Criminal Law, 1892-1902", Canadian Historical Association (CHA), *Communications historiques/Historical Papers*, 1978, p. 71. See also Mariana Valverde, *The Age of Light, Soap and Water: Moral Reform in English Canada, 1885-1925* (Toronto: McClelland and Stewart, 1991).

9. *Canadian Municipal Journal* (CMJ), 1906, p. 479, pp. 543-545; 1907, p. 375, p. 471; *Toronto Star*, 4 Jan. 1912; Chief Constables Association of Canada (CCAC), *Convention Proceedings*, 1913 (Toronto 1913), 1916, 1923; *Canadian Police Bulletin*, March 1925, Sept. 1930. For the CCAC, see Greg Marquis, "Canadian Police Chiefs and Law Reform: The Historical Perspective", *Canadian Journal of Criminology*, XIV (July-Oct. 1991), pp. 385-406.

to discredit charity officials and Local Council of Women representatives who imputed that the police had failed to conserve the moral health of the city.<sup>10</sup>

Policemen on the beat traditionally had intervened in domestic altercations, mostly to keep peace in the neighbourhood. The late nineteenth and early twentieth-century Toronto Police Department, judging by its annual reports, was typical in that it concentrated on public order offences, particularly drunkenness and disturbing the peace. Public morality was another priority. One of the more intriguing aspects of the Toronto Department was the special role of the Morality Department which, prior to 1930, functioned as a domestic complaints bureau and informal legal aid service. The police were in fact more significant interpreters of family law than were the courts. The Morality Office, located in city hall, relied on police resources, authority and prestige to settle informally family disputes, most of which involved marital infidelity, desertion or neglect of children. The proportion of domestic cases resulting in court proceedings was small, anywhere from 1-3 percent of those reported in a given year, but the total number of disputes investigated was considerable.<sup>11</sup>

How did this branch of the police force, charged with the "cleanliness of the city" (the task of rooting out vice) evolve into a family adjustment bureau? First, there was the absence of alternative administrative machinery and the fact that voluntary charitable organizations lacked the police department's coercive abilities. Secondly, working-class citizens, who were the most important recipients of police social service because they lacked money, knew little of the law or feared publicity, tended to shy away from court action. Finally, if police opinion can be believed, many Morality Department clients preferred the response of the police to the obtrusive and at times patronizing attention of social workers. Much like the lower courts, the police played an important role in working-class life.<sup>12</sup>

Given the Morality Department's origins in the reform-minded 1880s, its emergence as a key social service was almost inevitable. Desmond Morton has examined the temperance, labour, religious and civic reform impulses that contributed to the 1886 election of Mayor William Howland and his populist

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10. *Toronto Globe*, 2 and 3 Dec. 1920. There were also tensions within Toronto's welfare network. See James Lemon, *Toronto Since 1918: An Illustrated History* (Toronto: James Lorimer and Company, 1985), p. 25; James Struthers, *Through No Fault of Their Own: Unemployment and the Canadian State, 1914-1941* (Toronto: University of Toronto Press, 1983), pp. 48-49. For the arbitration of family disputes, see Dorothy Chunn, "Family Courts and Control of the Dependent Poor in Ontario, 1900-1945" (unpublished paper presented to the CHA, 1983).

11. City of Toronto Archives (CTA), Bureau of Municipal Research, *White Paper*, No. 220, 25 Feb. 1937; Toronto, *Annual Reports of the Chief Constable (ARCC)*, 1910-1940 (Toronto 1911-1941)

12. *Toronto Telegram*, 2 July 1933. For working-class use of the police courts, see Judith Fingard, *The Dark Side of Life in Victorian Halifax* (Porter's Lake: Pottersfield Press, 1989); Jennifer Davis, "A Poor Man's System of Justice: The London Police Courts in the Second Half of the Nineteenth Century", *Historical Journal*, 27, No. 2 (1984), pp. 309-335.

brand of moral reform. As part of his plan to purify the morals and politics of the city, Howland selected David Archibald, who had served with the Royal Irish Constabulary, to head a special police unit dedicated to the protection of women and children and the prosecution of vice. As Staff Inspector, an office independent of divisional inspectors, Archibald's mandate was to combat "cruelty to women, children and animals, desecration of the sabbath, indecent exposure and, of course, unlicensed drinking dens".<sup>13</sup> Archibald's department, despite its later image as persecutor of petty gamblers and bootleggers, was conceived as an instrument of reform. Under patrician Chief Constable Col. Henry Grasett, appointed in 1886, the Morality Branch developed a role within the department that would be familiar to twentieth-century observers.<sup>14</sup>

Opinions varied as to the proper role of the Morality Department. Moral reformers, who considered the squad the most important arm of the police establishment, complained often of lax enforcement of vice laws in "Toronto the Good". At the other end of the spectrum, libertarians and populists criticized Archibald and his successors for engaging in heartless and trivial prosecutions of the poor and immigrants unaccustomed to the mores of Anglo-Celtic Toronto, while ignoring their social betters.<sup>15</sup> Others feared that the department's constant association with the underside of urban life would breed coarseness and cynicism in the police service. Yet for every critic, the squad had many supporters. In 1920, legal reformer W.D. Gregory, who opposed arbitrary police methods, praised the protective work of the Staff Inspector and his department. By then, the branch had lost its strong ties with temperance and religious organizations, but not its interest in combatting gambling, obscene literature and prostitution.<sup>16</sup>

The Morality Department's "family services" were both class and gender specific; most clients were working-class women unable to afford legal counsel. The prime aim of the office was to assist, without resorting to the courts, persons suffering because of the actions or absence of their spouses. It appears that only those judged of sound moral character were considered deserving of police attention. This excluded unmarried mothers. The office

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13. Desmond Morton, *Mayor Howland: The Citizen's Candidate* (Toronto: A.M. Hakkert Ltd., 1971), p. 37.

14. ARCC, 1887-1940; Susan Houston, "The Waifs and Strays of a Late Victorian City: Juvenile Delinquents in Toronto", in Joy Parr, ed., *Childhood and Family in Canadian History* (Toronto: McClelland and Stewart, 1982), pp. 129-142; Christopher Armstrong and H.V. Nelles, *The Revenge of the Methodist Bicycle Company: Sunday Street Cars and Municipal Reform in Toronto, 1888-1897* (Toronto: P. Martin, 1977), p. 8; Helen Boritch, "Conflict, Compromise and Administrative Convenience: The Police Organization in Nineteenth-Century Toronto", *Canadian Journal of Law and Society*, III (1988), pp. 162-165.

15. *Telegram*, 3 Sept. 1913; *Toronto Star Weekly*, 17 April 1915; C.S. Clark, *Of Toronto the Good. A Social Study: The Queen City of Canada as It Is* (Montreal: The Toronto Publishing Company, 1898), pp. 16-21.

16. Staff Inspector David Archibald, "The Suppression of Vice", CMJ, 1906, p. 539; "Gambling: As Applied to the Race Track and the Stock Market", CMJ, 1909, pp. 399-401; *Star*, 21 Dec. 1920, 8 June 1926; *Star Weekly*, 11 July 1914; *Telegram*, 2 July 1933.

nonetheless provided a form of legal aid to abandoned and battered wives. Many politicians, legal reformers and social workers supported the department's discreet style of operations and avoidance of litigation. Publicity, it was argued, caused wives and children to suffer further and husbands to lose jobs, which discouraged people from seeking assistance. Although not always backed by a specific law, police officers were able to use their authority to threaten or prevail upon negligent spouses to reform.<sup>17</sup> If a husband refused to support his family, lived with another woman or beat his wife, Morality officers had the option of laying criminal charges. More common, however, was the forced reconciliation or "adjustment". The police either persuaded negligent husbands to keep the peace and provide family necessities or threatened to place the case before a magistrate. In 1912, Chief Constable Grasett reported that the Morality Branch rendered "conspicuously good service by adjusting or relieving cases often of a nature requiring delicate handling without bringing them into the garish light of the Police Court." The domestic complaints aspects of the department grew rapidly from over 2,000 cases annually before World War I to an average of 5,000 a year during the 1920s. Yet this represented but a fraction of overall domestic abuse.<sup>18</sup>

The Morality Office also served as a collection agency and clearing house for the distribution of support payments from husbands who had abandoned their families. This involved assisting women not only in the Toronto area, but also the United States and particularly Great Britain. Even with court orders and the involvement of police and social workers in locating absconding husbands, support payments were notoriously difficult to collect. American and British delinquents were requested to pay under the threat of police harassment or even deportation. Unsure of their rights, they either complied or moved on. If the police had no clear interest in this service, the civic relief authorities and welfare agencies did. The Neighbourhood Workers' Association, the House of Industry, the Juvenile Court, the Childrens' Aid Society and the Civic Health Department all reported a significant percentage of parental desertion amongst their clientele.<sup>19</sup> Husbands who refused to live with their families contributed from \$0.50 to \$20 a week, sometimes by

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17. *Star Weekly*, 11 July, 1914; Lillie Young McKinney, "Marriage and the Law", *Maclean's Magazine*, Nov. 1919, pp. 110-112; Emily Murphy, "The Women's Court", *Maclean's Magazine*, Jan. 1920, p. 28, p. 73.

18. *Star*, 18 July, 1913; *ARCC*, 1912, p. 6; *ARCC*, 1920-1929. According to a later generation of Toronto social workers, relatively few battered, mistreated or abandoned women reported to the police. See David M. Thomson, "Some Problems of Deserted Wives: A Study of 30 Deserted Wives in Receipt of Public Assistance" (M.S.W. thesis, University of Toronto, 1954). See also Kathryn Harvey, "To Love, Honour and Obey: Wife Battering in Working-Class Montreal, 1869-79", *Urban History Review*, XIX (Oct. 1990), pp. 128-140.

19. *Toronto News*, 30 March 1914; Archives of Ontario (AO), RG49 17B, Ontario, Unpublished Sessional Papers, No. 61, 1922, Interim Report Respecting the Toronto Police Department, 1921, pp. 35-37; *Toronto Globe*, 14 May 1920, 21 May 1926; *Star*, 3 December 1921; *Star Weekly*, 14 Jan. 1922; "Report of the Superintendent of Neglected and Dependent Children", Ontario, *Sessional Papers*, 1920-1926; *Report of the Toronto Juvenile Court*, 1920-1929 (Toronto, 1921-1930).

magistrate's order but more often as a result of police persuasion. After 1913, policewomen maintained records and distributed maintenance payments. The presence of women police, press accounts suggested, both maintained a level of propriety and encouraged women to lay assault charges against abusive spouses. The *Star Weekly* reported that although "few cases of such tyranny were taken to the police", over 1,000 wives had complained in 1910 of violent husbands.<sup>20</sup>

The Morality Department, if somewhat unaccountable and rudimentary in its operations, was regarded by the civic and provincial authorities as one of the city's premiere welfare agencies whose advice was worth heeding. In 1913, for example, Staff Sergeant David McKinney advised the Associated Charities convention that a statutory amendment was essential to penalize British immigrants who had deserted their families. The law did not facilitate immediate action against errant husbands, many of whom had fled the British Isles or departed from Toronto to the United States. The problem of desertion became more pronounced following World War I. In 1919, the *Criminal Code* was amended to make the penalty for failure to provide on the part of husbands or heads of households a large fine or up to one year in prison. Deserted wives, through misgivings, poverty or police advice, did not make increasing use of the courts, but the social welfare lobby encouraged the provincial authorities to redraft the law governing the abandonment of wives, children and aged parents. The 1920 *Parents' Maintenance Act* and the 1922 *Wives and Children's Maintenance Act* seriously taxed Toronto Morality Department resources. Court cases did not increase, but correspondence and adjustments multiplied, as police urged sons and daughters living throughout North America to contribute to the support of their parents and employed the threat of prosecution to force husbands to fulfil their obligations.<sup>21</sup>

Morality Department officials, however much they disliked forcing reconciliations and collecting maintenance payments, projected a strongly traditional view of the family. The attitudes of Staff Inspector McKinney were rooted in the concepts of male as provider, the work ethic and strict sexual morality, attitudes not alien to the local working class. In 1929, he blamed an increase in cases of non-support on population growth and the habit of "irresponsible young people getting married without any means."<sup>22</sup> Much like more recent counterparts, early twentieth-century police officials attributed most social ills to permissiveness. Although obviously hostile to men who had abandoned their dependents or resorted to violence, Toronto police officials were not feminists. Many ultimately blamed the "nagging tongue of a woman" for disrupting family life.<sup>23</sup> The penal theories of police officers were

20. *Star Weekly*, 22 Oct. 1910; *Star*, 27 Dec. 1919; "A Canadian Policewoman, 'Crime and the Woman'", *Maclean's Magazine*, Jan. 1929, p. 7.

21. *Star*, 8 Feb. 1913, 2 Dec. 1920; ARCC, 1910-1930; *Star Weekly*, 10 December 1921; "An Act Respecting the Maintenance of Deserted Wives and Children", *Statutes of Ontario*, 1922.

22. *Globe*, 22 Feb. 1929.

retributive, not rehabilitative. Instead of the economic or environmental explanations of crime and deviance increasingly fashionable among social workers, the police blamed laziness and weakness of character. Speaking to a national conference of Childrens' Aid Societies in 1929, McKinney denounced the tendency of social workers, the press and even the police to "whine" about punishment and advocated chain gangs for delinquent husbands, rather than the "luxury" of the jail farm.<sup>24</sup>

During the 1920s, the police authorities continued to investigate thousands of domestic complaints every year and to distribute support payments, although the service could be "scarcely classed as police work" in the opinion of career policeman Chief Samuel Dickson. The number of complaints did not grow in proportion to changes in Toronto's population, but annual support payment totals quadrupled between 1920 and 1928. In 1920, McKinney had taken strong exception to the claim of social worker R.N. Stapleford that police "machinery was crude and inadequate in forcing payment of money from delinquent husbands." Yet several years later, McKinney suggested that domestic disputes be assigned to another agency, recognizing that the department handled desertion and other family problems largely by default. By the late 1920s, the Toronto police authorities, increasingly under the sway of crime-fighting doctrine, were more than willing to abandon an important part of their traditional relationship with working-class families.<sup>25</sup>

In the second and third decades of the century, the informal and somewhat unaccountable family law arbitrations of the Toronto police, however practical, began to be replaced by more bureaucratic, 'socialized' non-police responses. Citing the police as excessively punitive in outlook, penal reformers, social workers and women's organizations declared that the spirit and style of juvenile courts-compassionate judges, counsellors and probation officers and a minimum of police involvement-should be applied to domestic problems. To progressive judges, magistrates, lawyers, community workers and legislators, courts of domestic relations were a promising answer to abuse, non-support and desertion.<sup>26</sup> The Toronto Women's Court, dubbed by police reporters the "love court", examined cases of bigamy, abandonment and neglect of children, but only a fraction of complaints resulted in hearings. Furthermore, despite this tribunal's initially reformist reputation, enhanced by the 1922 appointment of social service worker Margaret Patterson as magistrate, it was very much a police court. Competing with the Women's

23. *Star Weekly*, 30 May 1914.

24. *Star*, 16 May 1929, 4 Oct. 1930.

25. *Globe*, 3 Dec. 1920; *ARCC*, 1925, p. 7, 1926, p. 9 and 1927, p. 14. The Morality Department collected \$22,144 in 1920 and \$113,863 in 1929. For crime fighting and police professionalism, see Marquis, "Canadian Police Chiefs and Law Reform".

26. D.D. Harkness, *Courts of Domestic Relations. Duties, Methods and Services of Such Courts: Are They Needed in Canada?* (Ottawa: Canadian Council on Child Welfare, 1924).



Court in jurisdiction over mistreated and abandoned families was the Juvenile Court, which provided a concrete model for family court advocates such as the National Council of Women. Police opposition to the introduction of the Juvenile Court in 1911, on the grounds that it undermined youthful respect for the law, had been formidable. In contrast, the head of the 1920s Morality Department openly supported the movement to remove family conflict resolution — which usually involved arbitration rather than criminal prosecution — from his jurisdiction.<sup>27</sup>

With police department approval, in 1929, the provincial and civic authorities established a Family Court within an expanded juvenile court apparatus. The new domestic relations tribunal assumed full responsibility for collecting maintenance payments from absent spouses. As if to symbolize a new era in family law, the court was located in a building separate from the regular courts and police headquarters. Despite its rehabilitative approach, the domestic relations court duplicated many Morality Branch practices, naming its investigations “interviews”, employing counsellors instead of policewomen and detectives and settling disputes through negotiation rather than formal criminal proceedings. The Morality Department continued to investigate complaints of “a confidential nature”, but willingly abandoned part of its social service role to the new agency. Police influences on the Family Court, if not as great as on magistrates’ courts, were not inconsequential. Yet as a result of the 1929 reorganization, the Morality Department was narrowed into a vice squad, concentrating on gamblers, bootleggers, drug sellers and prostitutes. On several occasions in the 1930s, the board of police commissioners discussed the merits of abolishing the branch, but the squad survived. As a domestic complaints bureau, impromptu court of reconciliation and clearing house for support payments, the Morality Department was a classic example of a police department’s nineteenth-century service function anticipating the welfare state.<sup>28</sup>

The most basic police social service was the use of divisional stations to shelter the homeless, a practice that continued in Toronto until the 1950s. To the middle class, police stations were places to be avoided. As reporter Jean Ferrer wrote in 1913, “polite people” preferred an arm’s length relationship

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27. *Star*, 16 July 1920, 14 Oct. 1924; AO, MU 6332, *Minutes of the Toronto Local Council of Women*, 16 May 1922; Mrs. Sidney Small, “Is the Women’s Court Receiving Fair Treatment?”, *Civic Gazette*, Feb.-March 1923; George H. Corbett, “Enforcement of Family Desertion Legislation”, *Canadian Child Welfare News*, IV, 3 (Aug. 1928), pp. 15-18; Neil Sutherland, *Children in English-Canadian Society: Framing the Twentieth-Century Consensus* (Toronto: University of Toronto Press, 1976), pp. 124-151; Dorothy E. Chum, “Maternal Feminism, Legal Professionalism and Political Pragmatism: The Rise and Fall of Magistrate Margaret Patterson, 1922-1934”, in W. Wesley Pue and Barry Wright, eds., *Canadian Perspectives on Law and Ideology: Issues in Legal History* (Ottawa: Carleton University Press, 1988), pp. 91-117.

28. *Report of the Toronto Family Court, 1930* (Toronto 1931); *Globe*, 19 June 1929, 23 July 1931; *Star*, 19 June 1929, 22 March 1934; Canadian Welfare Council, *The Family Court in Canada* (Ottawa: Canadian Welfare Council, 1954), pp. 1-10.

with the unpleasant aspects of policing.<sup>29</sup> Yet for thousands of transient persons, the hard floor of a police station was the only alternative to a night exposed to the elements. The downtown station houses often admitted individuals who failed to gain entry to civic shelters and mission hostels. The service was partly humanitarian, but it helped to clear the streets of tramps and local unemployed who worried property-owners and police on the beat. The sheltering of “waifs”, the nineteenth-century police term for the homeless, merited sufficient distinction to be tabulated in the chief constable’s annual report, complete with details of sex, marital and religious status. Toronto waifs were young, almost all male and overwhelmingly single and Protestant. In 1925, a Salvation Army officer described station lodgers as “the steady, decent sort”: temporarily impoverished young men, many of them war veterans.<sup>30</sup>

What were the conditions faced by station house lodgers? Most lock-ups were known for their unpleasant characteristics, such as vermin and poor ventilation and sanitary facilities, but they were probably no worse than the city’s heavily-used 1930s missions and hostels in the 1930s. Station lodgers did not have to participate in religious services as at missions, nor were they forced to saw firewood or break stone, the work tests of the Municipal Lodging House and the House of Industry. Unlike police prisoners who rested on benches, waifs slept on newspaper-strewn concrete basement floors. They were allowed to smoke, but deprived of their knives and razors by the officer in charge. On occasion, the police distributed free bread, but the only regular refreshments were supplied by the Salvation Army, which also gave out meal tickets. If the desk sergeant recognized a waif as a frequent customer, he was chased away. At dawn, station lodgers were dumped unceremoniously onto the street.<sup>31</sup>

In Toronto, an embarkation point for the West, there was an historic concern with the problem of transient males. Late nineteenth-century charity administrators had responded to the “tramp menace” by instituting a work test at the House of Industry and expecting the police to take care of a limited number of waifs. The relationship between the police and the unemployed was complicated by shifting distinctions between tramps and “vagrants” on the one hand and the more respectable unemployed on the other. In the 1880s, police harbouring waifs noted that many were not idle by choice, but were part of the seasonal “floating population” of farm hands, building trades workers and transient labourers. As a rule, persons described as tramps were unwelcome at police stations and Toronto residents who frequently sought shelter were threatened with vagrancy charges. If the police had arrested all suspicious or

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29. *Telegram*, 9 Aug. 1913.

30. ARCC, 1910-1940; *Toronto Labour Leader*, 13 Feb. 1925. For an overview of charity and relief administration in Toronto, see James Pitsula, “The Relief of Poverty in Toronto, 1880-1930” (Ph.D thesis, York University, 1979).

31. AO, RG8 11S, Provincial Secretary, Presentments of the Toronto and York County Grand Jury, 1910-1940; *Star*, 19 Jan. 1911, 28 Jan., 3 Feb. 1915; *Star Weekly*, 3 Jan. 1925; *Telegram*, 3 Feb. 1925; *Labour Leader*, 13 Feb. 1925; ARCC, 1910-1940.

militant unemployed workers, however, detention space would have been overwhelmed.<sup>32</sup> Police sheltering of tramps was not unique to Toronto, but common across the continent, more so in larger centres, but not unheard of in small towns.<sup>33</sup> Tending to transients and members of the “dangerous class” allowed the police to supervise potential troublemakers. Much like the nineteenth-century boarding house, police shelter was “a flexible and inexpensive way of meeting social and economic needs”.<sup>34</sup>

Is it possible, as a Marxist historian of American policing suggests, that vagrancy arrests were an important measure of official reaction to working-class resistance? In Harring’s analysis, tramps, burdened with a parasitical image by the police and bourgeois press, were in reality unemployed workers with “a stake in the class struggle”.<sup>35</sup> The Toronto press, civic politicians, social workers and the police shared a general consensus on the link between unemployment and crime; large numbers of jobless men in the streets posed a number of problems for the authorities. It would be sensible to hypothesize a correlation between vagrancy charges and the number of waifs sheltered. Monkkonen has found a direct relationship between the number of station lodgers in American cities and the number of public order (including vagrancy) arrests. Were Toronto police “vagging” the more offensive and militant unemployed at the same time as they sheltered the docile?<sup>36</sup>

Toronto vagrancy “occurrences” (not convictions) reflect economic conditions in two periods, 1913-1915 and 1930-1932, but there was no long-term pattern in the relation of these charges to labour market fluctuations. Between 1910 and 1940, there usually was an *inverse* relationship between vagrancy charges and station lodgers.<sup>37</sup> One exceptional period, 1914-1915, when over 15,000 waifs were accommodated, coincided with the economic slump that began in 1913 and continued well into the war. As historians are now aware, seasonal unemployment was an historic characteristic of the Canadian labour market. Accordingly, by the mid-1920s, although Toronto’s economic prospects had improved following a post-war depression, the police stations housed a record number of waifs. Perhaps the most important variable affecting lodging statistics was civic relief policy. The 1925 peak in waifs, for

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32. “Chief Constable’s Report, 1884”, in *Toronto City Council Minutes*, 1885 (Toronto: City of Toronto 1885), Appendix 6, pp. 192-193; James Pitsula, “The Treatment of Tramps in Late Nineteenth Century Toronto”, CHA, *Communications historiques/Historical Papers*, 1980, pp. 122-124.

33. See Marquis, “A Machine of Oppression”; John Weaver, “Social Control, Martial Conformity and Community Entanglement: The Varied Beats of the Hamilton Police, 1895-1920”, *Urban History Review*, XIX (Oct. 1990) pp. 113-127.

34. Monkkonen, *Police in Urban America*, pp. 100-106.

35. Harring, *Policing a Class Society*, p. 206, pp. 220-223. See also Pitsula, “The Treatment of Tramps”.

36. Monkkonen, *Police in Urban America*, pp. 103-105.

37. ARCC, 1910-1940. The police reports listed charges as opposed to convictions, but the rate of vagrancy convictions usually was high.

example, was related to the decision to impose a twelve-month residency requirement for unmarried relief applicants. The number of waifs almost always surpassed the number of vagrants, suggesting that the provision of station shelter was just as important a strategy in controlling the unemployed as were vagrancy charges. The police response to the unemployed, therefore, represented a flexible combination of surveillance, threats, “vagging” and shelter.<sup>38</sup>

The police appear to have been more than willing to separate the respectable from the undeserving unemployed. Vagrancy, a loose and subjective concept heartily endorsed by the police because of its flexibility, was employed regularly as a holding charge until further evidence was secured. It was also used as a threat. In many cases, it was punishment not merely for being a loafer or a potential burden on charity, but for threatening property, morals or the political establishment.<sup>39</sup> Many workers may have sympathized with tramps, but Toronto organized labour, especially its conservative wing, often complained about the influx of immigrants, skilled and unskilled, who lowered wages. Working-class and middle-class freeholders resented subsidizing the poor of rural and small-town Ontario who flocked to Toronto during the winter months. Encouraged by these sentiments, in 1914, the police decided to arrest the “well-known and vagrant unemployed” so as to “give the unemployed a decent chance to secure jobs.” The police net was cast over familiar vagrant, street people and a few transients; the great majority of the unemployed was not molested.<sup>40</sup>

There is evidence of police sympathy for the jobless, but it should not be assumed that station officers welcomed the visitations of the homeless. Chief Grasett spoke of tramps in non-criminal if not quite non-deviant terms. David Archibald, appointed to deputy chief during World War I, represented the extreme police opinion on the unemployed. In 1891, he asserted that local philanthropists, by providing liberal charity, had attracted an “undesirable class” of “drunkards, vagrants and incorrigible criminals” to the city, thereby

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38. ARCC, 1910-1940; Ontario, *Report of the Royal Commission on Unemployment* (Toronto: King's Printer, 1916), pp. 108-109; *Star Weekly*, 3 Jan. 1925; *Telegram*, 15 Jan. 1925; Michael J. Piva, *The Condition of the Working Class in Toronto, 1900-1921* (Ottawa: Ottawa University Press, 1979), pp. 76-79.

39. The vagrancy provisions of the *Criminal Code* and the practice of magistrates' courts gave the police considerable discretion in determining who was a vagrant. Even if the charges were dropped or the prisoner found not guilty, he or she was in effect punished by pre-trial incarceration and became “known to the police”. During the 1920s and 1930s, police chiefs lobbied to have the vagrancy provisions of the Code extended and for the right to fingerprint persons charged with vagrancy, which was a summary offence. See Marquis, “Canadian Police Chiefs and Law Reform”.

40. *Star*, 5-9 Feb. 1914; *Star Weekly*, 30 Jan. 1915; *Canadian Forward*, 28 Oct. 1916; *Labour Leader*, 15 July 1927; M. Piva, *The Condition of the Working Class in Toronto*, pp. 77-79.

increasing police responsibilities.<sup>41</sup> Anticipating the federal government's "Idlers' Act" of 1918 (an order-in-council designed to control the labour force), Archibald, in 1915, proposed to eradicate the waif problem by allowing the police to detain or remove from town all tramps and other undesirables. Again, he blamed charity organizations and a liberal relief policy for encouraging idleness:

The system of dispensing charity through many different bodies has not only failed to cope with destitution in Toronto, but on the contrary, has defeated and disappointed the citizens' well-meant intentions, and failed to reach the deserving poor, who would starve before making their conditions known.<sup>42</sup>

According to the Royal Commission on Unemployment, whose 1916 report reflected both nineteenth-century individualistic explanations of poverty and an awareness of the impact of business cycles and seasonality, the deputy chief, together with Police Magistrates George T. Denison and Peter Ellis, would have imprisoned all vagrants and many homeless unemployed but for lack of detention space.<sup>43</sup>

Grasett's successor, Samuel Dickson, would have preferred to prohibit station lodgers in the 1920s. In 1925, he complained to the police commissioners that "workless men and others" brought lice and dirt into station houses and interfered with police business. The commissioners, anticipating the reaction of the city council and businessmen who would not care to have workless men on the street overnight, refused Dickson's request and instructed the department to exercise discretion in admitting waifs. Relations between the police and the jobless in the 1920s, with the appearance of radical unemployed organizers, became strained. Six years later, Chief Constable Denis Draper, whose *bête noire* was the Communist Party, went a step further than his predecessor by blaming potential unrest and crime among the unemployed on the lack of a comprehensive civic relief scheme. Draper's highly political remark, which was viewed as a slur on the jobless and an intrusion into the jurisdiction of the civic Board of Control, reflected the frustration of a police manager who wished to modernize his department by ending its special relationship with waifs. With the growth of hostels for single male transients in the 1930s, station shelter declined in relative importance, but did not disappear.<sup>44</sup>

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41. Ontario, *Report of the Commissioners Appointed to Enquire into the Prison and Reformatory System of Ontario* (Toronto: Queen's Printer, 1891), pp. 705-706. See also *Telegram*, 7 Feb. 1914.

42. *Report of the Royal Commission on Unemployment*, pp. 201-202.

43. *Ibid.*, pp. 108-109.

44. Metropolitan Toronto Police Museum, *Minutes of the Board of Police Commissioners (MBPC)*, 17 Sept. 1925; *Globe*, 18 and 19 June 1931; *Star*, 30 June 1931; H.M. Cassidy, *Unemployment and Relief in Ontario, 1929-1932: A Survey and Report* (Toronto 1932), pp. 204-205.

A third police social service in this period was the appointment of women officers. In turn-of-the century Canada, the masculine world of policing was tempered only by the presence, in larger cities, of matrons who attended female prisoners in station houses. Inspired by similar movements in the United States and Britain, women's and moral reform groups first had urged in the 1890s the employment of matrons to maintain an element of propriety and sympathy after arrest and to appear with prisoners and victims in court.<sup>45</sup> Toronto's earliest police matron, Scottish-born nurse and temperance lecturer Agnes Whiddon, was appointed in 1895 following a decade of mission work. By 1910, two matrons were posted at Number 1 station where all female prisoners were confined. Women were a small but highly visible minority of Toronto offenders, constituting in the two decades prior to 1931 only 8 percent of all persons arrested and summoned by the police. Until midnight, when men assumed her responsibilities, the duty matron escorted prisoners to cells, assisted in questioning and conducted searches. The matron's special service was the reception of first offenders, girls, and women with children; these were confined separately from recidivists.<sup>46</sup> In 1913, reporter Jean Ferrer described the miserable conditions of one of Toronto's most modern police lock-ups, which she compared to "a jail in Russia". In contrast, the friendly Scottish matron was portrayed as a sympathetic mother figure: "Jeannie isn't very strong on preaching. Her favourite treatment is a strong, comfortable arm, a cup of tea and a smile like a magnet that draws troubles out of your heart and leaves the sore spot nice and cool."<sup>47</sup> Moral reformers on similar slumming expeditions were struck by the stark contrast between the apparent helplessness and ignorance of first offenders and the boldness and vulgarity of female recidivists. It was in this contrast, and in the hypothesis that through maternal counselling and control young women could be diverted from a life of immorality and crime, that the policewoman movement was born.

Following a continental pattern, the introduction of policewomen was sponsored mainly by private women's groups. The Toronto women's movement, led by elite and upper middle-class clubwomen, was sensitive to the problems of women in contact with the police and courts. The ideology of reform during the so-called Progressive era was based on the twin pillars of humanitarianism and control.<sup>48</sup> The maternal feminists of the Progressive era

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45. Public Archives of Canada, MG28 I 25, National Council of Women, Vol. 67, Penal Reform, 1894-1913; *Star*, 8 Feb. 1913; Walker, *A Critical History of Police Reform*, pp. 84-88; Estelle B. Freedman, *Their Sisters' Keepers: Women's Prison Reform in America, 1830-1930* (Ann Arbor: University of Michigan Press, 1981).

46. ARCC, 1910-1930; *Globe*, 2 Feb., 9 Dec. 1910; MBPC, 1 March 1910.

47. *Telegram*, 9 Aug. 1913.

48. Carol Lee Bacchi, *Liberation Deferred? The Ideas of English-Canadian Suffragists, 1877-1918* (Toronto: University of Toronto Press, 1983); Linda Kealey, ed., *A Not Unreasonable Claim: Women and Reform in Canada, 1880-1920* (Toronto: The Women's Press, 1979); Valverde, *The Age of Light, Soap and Water*, chapter 3.

have been criticized for promoting Protestant, middle-class, nativist and "Victorian" values at the expense of the working class, yet their social objectives were truly radical: equality of moral standards between the sexes. Rather than removing women from the pedestal, they sought to place all society there. As a correspondent to the *Star* explained, moral reformers were "trying to convert the sinner not by persuasion but by the policemen's club."<sup>49</sup> The crux of the maternal feminist critique of the legal order was twofold: first, that the justice system was controlled at every stage by men and perpetuated the double standard of morality; secondly, that the system did little to prevent the ruin of young girls who through the influences of environment became "fallen women", homeless vagrants, prostitutes and alcoholics. In response, legal and social reformers, armed with scientific research, expanded the nineteenth-century notion of separate spheres into the new criminology of women. This movement, with its suggestions of sisterhood, proposed female judges, police and probation officers to redress the hypocrisy, imbalance and harshness of the male-dominated justice system. Policewomen, drawing on their intuitive qualities and ability to nurture, it was argued, would supplement, not compete with, male officers of the law.<sup>50</sup>

Toronto social service workers of the Progressive era, no matter how liberal, secular or scientific their approach, were heavily imbued with the ideology of moral uplift, the legacy of the nineteenth-century temperance movement. During the 1910s, moral reformers, supported by and including suffragists, lobbied for police activity against White Slavery and bawdy houses. The Morality Department, although announcing that prostitution was under control, stepped up raids and prosecutions.<sup>51</sup> In true Progressive fashion, the Local Council of Women sponsored a moral survey of the Toronto police court, a strategy inspired by the late nineteenth-century child welfare lobby. In 1912, on the suggestion of a prominent clergyman, a women's Social Service League began to send daily delegations to monitor police court proceedings. The presence of well-dressed churchwomen was intended to "make women culprits feel more womanly" and to press home the need for separate trials for cases involving females (a parallel to Juvenile Court procedure). Church social service workers also discussed the need for preventive work to divert young girls from the clutches of the police as well as to avoid their

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49. *Star*, 4 Sept. 1912. See also John P.S. McLaren, "Chasing the Social Evil: Moral Fervour and the Evolution of Canada's Prostitution Laws, 1867-1917", *Canadian Journal of Law and Society*, I (1986), pp. 125-165.

50. Mary Hamilton, *The Policewoman: Her Service and Ideals* (1924) (New York: Arno Reprint, 1971), pp. 125-165; Freedman, *Their Sisters' Keepers*, pp. 46-47. There is little Canadian literature on policewomen other than Peter McGahan, *Crime and Policing in Maritime Canada: Chapters from the Urban Records* (Fredericton: Goose Lane Press, 1988), chapter XVI; and Margaret Gilkes, *Ladies of the Night: Recollections of a Pioneer Canadian Policewoman* (Hanna, Alberta: Gorman and Gorman, 1989).

51. *Telegram*, 26 Dec. 1911; Valverde, *The Age of Light, Soap and Water*.

victimization by “cadets” or pimps, male employers, married men and others with ungentlemanly designs.<sup>52</sup>

Agitation for policewomen and a women’s court in Toronto coincided with an elite-led moral reform campaign that considerably irritated police officials. The Morality Department intensely resented public criticism such as that levelled by the newly-founded Toronto Vigilance Association under Reverend R.B. St. Clair. This group monitored the prosecution of public morality offenders, informed on bawdy house keepers and pressed the police commission for a more stringent enforcement of vice laws. Toronto’s supposedly irreproachable police establishment suddenly found itself a prominent topic for sermons, editorials and speeches. In November 1912, the Committee of Forty, which grew out of the Vigilance Association, “tossed down the gauntlet to vice” by accusing the police of practising a policy of tolerating prostitution. The hostility of police officials to St. Clair’s campaign, despite its support from members of the social elite, was striking. If civic reformers and suffragists among the elite disapproved of the Vigilance Association’s sensationalist tactics, they sympathized with its goal of cleaning up the city.<sup>53</sup> The reformers, supplemented by the growing women’s and social service movements, called for a majority of elected police commissioners or a return to police control by city council. In response, the police increased surveillance of disorderly houses and censorship of stage productions, but the police commissioners were more disturbed by the interference of the reformers. This antagonism continued during the 1912-1915 investigations of the Social Survey Commission into prostitution. This typical Progressive vice survey, sympathetic to female victims of White Slavery, was not well received in police circles. The department refused to supply the survey’s investigators, some of whom were former policemen, with non-published information on the extent of crime, rejected the survey’s accuracy and asserted that the reformers sought to discredit constituted authority.<sup>54</sup>

Despite the deterioration in relations between the police and the uplifters, the police commission and city council were not impervious to reform pressures. The reformers were successful, for example, in their campaign for the Morality Department to hire a civilian censor for stage, vaudeville and

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52. *Telegram*, 11 Jan., 13 Feb. 1912. See also, Lorraine Gordon, “Dr. Margaret Norris Patterson, First Woman Police Magistrate in Eastern Canada, Toronto, January 1922-November 1934”, *Atlantis*, X, 1 (Autumn 1984), pp. 95-109.

53. *Telegram*, 2 Nov. 1912.

54. Ernest Bell, ed., *Fighting the Traffic in Young Girls* (n.p.: G.S. Ball, 1911); *Star*, 2 and 26 Nov. 1912, 30 Jan. 1913, 16 Nov. 1915; *News*, 4 Nov. 1912; 29 Sept. 1915; *Toronto Mail and Empire*, 19 June 1913; *Telegram*, 9 July, 4 Oct. 1915; *Report of the Social Survey Commission* (Toronto: The Carswell Company, 1915); Carolyn Strange, “From Babylon to a City upon a Hill: The Toronto Social Survey Commission of 1915 and the Search for Sexual Order in the City”, in Roger Hall, William Westfell and Laurel Sefton MacDowell, eds., *Patterns of the Past: Interpreting Ontario's History* (Toronto: The Dundurn Press, 1988), pp. 255-277.



burlesque productions. On the eve of the municipal elections, representatives of the Local Council of Women and the Equal Franchise League presented the police commission with a six-point program, including the appointment of policewomen, a women's court and strict supervision of public parks, to improve morality. As the commissioners came to realize, the hiring of a few policewomen would quiet the moral reform lobby and please the influential Local Council of Women. The commissioners also were intrigued by the potential of women to gather evidence on vice and to heal family quarrels.<sup>55</sup> This was publicized by the timely visit of one of America's first policewomen, Alice Stebbin Wells of Los Angeles, who had embarked upon a North American tour. Speaking to a large audience at the Women's Canadian Club, Wells described the role of women's groups in implementing preventive and rehabilitative criminal justice reform and explained the general aims of the policewomen's movement.<sup>56</sup> On her second Toronto visit, Wells elaborated on the links between women's suffrage, social purity and policewomen. Deputy Chief Constable William Stark agreed that "if women were given the franchise, many of the reforms which Mrs. Wells advocated would be brought about."<sup>57</sup>

Following the triumphant visit of Alice Stebbin Wells, the police commission agreed in 1913 to appoint two policewomen, with candidates screened by the Local Council of Women. The commissioners selected Mary Minty of the Mercer Reformatory staff and Margaret Leavitt of the Methodist Victor Mission. Both had been trained as church deaconesses, reflecting the religious spirit of social service. Toronto's early policewomen were closely associated with penal reform, organized charities and travellers' aid work. Mary Phillips, for example, worked with the Morality Department for a decade before transferring to the probation staff of Juvenile and Domestic Relations Court. Mrs. Jessie Martin saw service in nursing and in the women's department of the Don Jail before joining the force in 1921. The first policewomen shared another characteristic commonly associated with their male counterparts: physical size and ability to subdue violent offenders. Working with the Morality Department and wearing plain dress, the women engaged in clerical work and occasionally apprehended members of their own sex. Their first arrests, an intoxicated woman and a fortune-teller, foreshadowed the pattern of policewomen's work for the next two decades.<sup>58</sup>

A major task of the policewomen was attendance at the Women's Court, recently established by the police commission and city council for cases in which women were either offender or victim. The sessions of the Women's "morals" Court were held *in camera*, with male reporters and spectators

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55. *Telegram*, 12 and 30 Dec. 1912; *Globe*, 30 Dec. 1912.

56. *Telegram*, 24 Dec. 1912, 14 Jan., 19 Nov. 1913; *Star*, 13 Jan. 1913.

57. *Telegram*, 14 Jan., 19 Nov. 1913.

58. *Telegram*, 3 July 1912; *Star*, 5-11, 20 March, 30 April, 5 June, 1913, 19 July 1921, 7 March 1940, 5 July 1980; *Minutes of the LCW*, 19 Feb. 1913; *Mail and Empire*, 1 May 1913; *Star Weekly*, 21 March 1914, 30 Oct. 1915.

barred, thus violating a principle of British justice dear to the hearts of nineteenth-century jurists such as Magistrate Col. George T. Denison who initially presided over the court. Feminists hoped that the presence of policewoman and the exclusion of male spectators (including procurers) would raise the standards of the court and encourage the rehabilitation of first-time offenders.<sup>59</sup> Although women were now examined and tried in relative secrecy, journalist Lucy Doyle bemoaned the court's preponderance of male officials and police and castigated social service workers for not attending more regularly and offering support services.<sup>60</sup> The Women's Court, built on shaky foundations and not enjoying the full support of the police, continued to grind out its own particular brand of justice for the next few decades. From 1922 until 1934, it was presided over by Magistrate Margaret Patterson. In this period, policewomen played an important part in Morality Department prosecutions. As Doyle reported in 1914, the very presence, however limited, of policewomen meant that new types of offences involving women and previously ignored by the police were brought to the court's attention.<sup>61</sup>

The employment of policewomen remained in an experimental stage for the next few decades. Women were given low-risk tasks or supported by nearby male officers. In his 1913 report, the police chief noted that female officers were "assigned duties that their sex enables them to discharge with peculiar advantage." The Morality Bureau, itself never large, did not build a sizeable force of policewomen. In 1919, it added a third and fourth, maintained five during the 1920s and cut back to a pair during the Depression era. By the late 1920s, in comparison, the Toronto Police Department employed roughly 1,000 men. Policewomen, when free from office duties, did not walk regular beats, but gathered information, attempted to monitor the leisure activities of young women and acted as intermediaries between the police bureaucracy and children and youth. In the long run, the Staff Inspector tended to assign women to clerical and court work, limiting their exposure to the city's rougher elements on the grounds of protecting their "womanhood".<sup>62</sup>

Unlike England, where the policewomen's movement blossomed during World War I as a result of labour shortages and the influx of female munitions workers, in Toronto, expansion was resisted on the grounds of economy. In 1917, the Young Women's Christian Association, inspired by the volunteer

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59. *Telegram*, 10-16 July, 10 Sept. 1913; *Star Weekly*, 20 March 1915.

60. *Telegram*, 10-16 July 1913.

61. *Ibid.*, 10 Feb. 1914; *Star Weekly*, 20 March 1915.

62. *Minutes of the LCW*, 7 Dec. 1913; *ARCC*, 1913-1940; *Star Weekly*, 21 March, 1914. Judging by the memoirs of Calgary policewomen Margaret Gilkes, appointed in the mid-1940s, and by the occurrence books of 1930s Halifax policewomen May Virtue and an anonymous 1960s Saint John policewomen, morality and welfare work brought women police directly into contact with the underside of urban life. See Gilkes, *Ladies of the Night*; McGahan, *Crime and Policing*, chapter XVI; Provincial Archives of Nova Scotia, RG35 102, Halifax Policewoman's Occurrence Report, Aug. 1931-Oct. 1933.

police patrols of London women, petitioned the police commission to adopt similar practices in Toronto. In the opinion of a female *Star* reporter, resistance to women on the beat was strongest within the male confines of the station houses. Chief Grasett, a former British officer and hero of the 1885 Northwest Rebellion, and his Staff Inspector "just sniffed at the idea" of women replacing their burly patrol constables. Grasett claimed, with some justification, that his department had been a pioneer in handling women in trouble with the law, yet he stated that women's lack of physical strength, the possibility of violence and the harsh climate militated against their employment on the beat. The head of the Morality Department agreed that policewomen did excellent social service work, but declared that men found it "irritating to be ordered around by a woman."<sup>63</sup> Despite lukewarm official support, a Women's Patrol Association began patrolling the streets in the spring of 1918 in an effort to keep young women away from soldiers and "foreigners", to discourage immorality in city parks and to supervise informally the living conditions of female factory operatives. The volunteer policewomen were associated with the Big Sisters movement, formed in 1912, the Working Girls' Patriotic League, and public health workers concerned with the prevalence of venereal disease in the ranks of returned soldiers. Although enjoying the cooperation of the police, the Protective Association patrols were disbanded after a brief trial period.<sup>64</sup>

In 1919, the possibility of women on the beat was broached by suffragist and social service worker Constance A. Hamilton of the Local Council of Women. Moral reformers and welfare workers were disturbed by the plight of single working women who not only exploited by male employers, but also were crowded into dreary boarding houses lacking recreational authorities and who, thus, were susceptible to temptation. Hamilton, who had corresponded with London's director of women police, advised the police commissioners that an effective police service would include a female deputy chief constable directing an expanded force of policewomen with full powers of arrest. They would continue to specialize in preventive work such as patrolling beaches and parks and enforcing measures "not of particular interest to men", such as child welfare laws. Following two such interviews, and respecting Chief Grasett's opposition to women on the beat and his interest in expanding Morality work, the commissioners recruited two additional women.<sup>65</sup>

That Toronto policewomen enjoyed a higher degree of visibility during the 1920s was related partly to the limited growth of female political power manifested in the election of Constance Hamilton as Toronto's first alderwoman. Backed by the Local Council of Women and the Federation of Community Services, Hamilton publicized the preventive approach to crime

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63. *MBPC*, 26 March 1917; *Star*, 17 May 1917. See also Interim Report Respecting the Toronto Police Court, 1921, pp. 21-23.

64. *Toronto World*, 17 May 1918; *Globe*, 29 May 1918; Draft Report for 1918, *MBPC*, Feb. 1919.

65. *News*, 16 Jan. 1919; *MBPC*, 20 May 1919; *Catholic Register*, 28 Aug. 1919.

and lobbied for the appointment of a woman magistrate, more policewomen and expanded civic welfare services. The police authorities supported her requests by increasing the staff of policewomen to six, but enacted no radical changes in their duties.<sup>66</sup> They continued to act as roving welfare officers. Toronto's second alderwoman, Ethel Small, elected for the 1922-term, also advocated active policing by women. A high-profile social service worker, Small had helped to organize the Women's Protective Bureau in 1918 and took an interest in child welfare, juvenile delinquency, mental hygiene, family law and penal reform.<sup>67</sup>

The work of policewomen in the 1920s, whether focusing on children, domestic relations or the recreation of young women, centred on the supposedly new theory of crime prevention. The editor of the *Canadian Police Bulletin* believed that "wise, level-headed women, who will not go into hysterics and who have a wide knowledge of human nature, if employed in certain kinds of work can do invaluable service in the case of morality."<sup>68</sup> The focus was on movie houses, rinks, parks, beaches, dance halls — places where the sexes fraternized in public. This work was highly selective and based more on observation and persuasion than threats and force. The maternal role of policewomen and their interest in maintaining prevailing conservative mores, many of which were shared by the native and British-born working class, were best reflected in attempts to dissuade white women from entering into interracial marriages. There was even intervention on the part of the police against young Anglo-Celtic women who associated with Italian or Greek males. Policewomen posed as vulnerable widows or matrons to ensnare "mashers" and helped detectives gather evidence against bootleggers and drug sellers. They also lent considerable assistance to the Juvenile Court and its probation staff.<sup>69</sup>

Many activities of policewomen, such as lecturing juveniles or taking women to the station without the formality of arrest, had little bases in law. By adopting a "soft" approach to female transgressors and victims, women police were supposed to inspire confidence and cooperation. Although policewomen represented a new attempt to observe, if not control, public morality, their lack of numbers precluded anything but sporadic action. There was an ambivalence to their presence. The majority of Toronto parents most likely approved of the presence of policewomen at dance halls and other entertainment sites and did not regard the service as an attempt to impose restrictive moral values upon their daughters. Sexual harassment, after all, was not a concern of middle-class women alone. As with their male counterparts, women officers were

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66. *Telegram*, 20 Dec. 1919, 5 Jan. 1920; *City Council Minutes*, 9-10 Feb., 30 May 1921; *ARCC*, 1921, p. 7.

67. *Star*, 7 and 17 April 1921, 23 Nov. 1922; *Telegram*, 7-10 Jan., 30 Dec. 1922.

68. CCAC, *Convention Proceedings*, 1913, p. 26.

69. *Mail and Empire*, 8-15 March 1913; *Telegram*, 26 Jan. 1914; *News*, 16 March 1913; *Star Weekly*, 21 March 1914; *Star*, 20 Aug. 1913, 19 Feb. 1914, 16 Nov. 1920, 29 July, 26 Oct. 1921, 13 Jan. 1922; *Catholic Register*, 28 Aug. 1919.

most unpopular with children and youth. Working-class men, much like their counterparts in the police department, probably did not take policewomen seriously.

Morality Department policewomen embarked upon one interesting experiment in social casework: visiting offenders in female institutions. The law punished working-class girls and women in a variety of ways for deviating from the code of sexual morality. Many female offenders were apprehended on morals charges under the vagaries of vagrancy law. Brought before the reformist magistrates of the Women's or Juvenile Courts, a girl might be deemed incorrigible and incarcerated in the Mercer Reformatory for protection, not punishment. More bleak was the fate of women arrested on morals charges and judged by physicians to be "feeble-minded"; these were sentenced to indefinite terms (a form of sentence then viewed as progressive) in institutions such as the Belmont Home, an "industrial refuge".<sup>70</sup> In 1922, following adverse publicity on the operation of the Belmont institution, the Morality Department began sending policewomen on monthly visits to the home and to Mercer in order to "talk to the inmates, listen to their complaints, carry personal messages to and from their friends and see that every girl is getting the 'square deal' to which law and justice entitle her."<sup>71</sup> This practice provided publicity that definitely improved conditions for inmates, but it also enhanced police control and knowledge of petty offenders.

A second social service involving policewomen was the regulation of dance halls, a target of moral reform and source of concern for public health workers. In 1915, the Social Survey Commission had reported that dance halls, a recent innovation in Toronto, posed a moral threat, particularly to women. Staff Inspector David McKinney had fretted over promiscuous dancing since the days of the tango; the age of the flapper and jazz music brought new problems to the guardians of morality. Aided by plainclothes policewomen, the department exercised discretion by prohibiting dances such as the toodle and shimmy and closing premises where white women danced with black men. Journalists, clergymen and female charity volunteers were disturbed by allegations of liquor use (the *Ontario Temperance Act* was in force) and immorality among dance hall patrons, but social workers were more concerned with protecting young women from venereal disease. Thus the regulation of dance halls by the police commission in 1922 was viewed as a social service, not prohibitive legislation.<sup>72</sup> Following a conference with public hygiene workers, the police commission passed a by-law that closed dance halls before midnight, prohibited unescorted women and girls under sixteen and allowed the police to refuse admittance to persons deemed immoral or disorderly. As a result, many of the smaller halls were forced out

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70. *Telegram*, 9-11 July, 1 Aug. 1913.

71. *Ibid.*, 3 Oct. 1922; *Star*, 3 Nov. 1922.

72. *Report of the Social Survey Commission*, 50; *Star*, 29 June 1922; *Civic Gazette*, Nov. 1922, June 1923.

of business. Here was an attempt to use policewomen to enforce “sexual order”. Police intervention, however, was rare. As with movie houses, the Police Department adopted a policy of flexible enforcement, relying on proprietors to enforce the new rules.<sup>73</sup>

Despite the best efforts of high-profile publicists, the North American policewomen’s movement began to stagnate in the mid-1920s. Social workers continued to expound the ideals of police social service and rehabilitation of the criminal, but Toronto police officials were all but silent on the role of policewomen in these processes. In 1924, delegates to the Toronto convention of the International Association of Policewomen were disappointed to learn that local women police had been ordered not to attend. Prominent American policewomen Mina Van Winkle and Dr. Valera Parker addressed the heart of their occupational crisis: were they police officers or social workers? Or, as some critics and many policemen claimed, were they merely window-dressing in an exclusively-male club?<sup>74</sup> In the United States, the dominant opinion favoured the delegation of police social work and miscellaneous duties to other agencies.<sup>75</sup> The ongoing expansion and professionalization of civilian social work strengthened this viewpoint. The fiscal restraint of the 1920s and 1930s placed additional constraints on experimentation. Administrators interested in radio, automobiles and other technological innovations tended to regard women’s bureaus as expensive frills. Toronto police officials accepted the principle of crime prevention, but remained suspicious of the rehabilitative motives of new criminology. Within police circles, social workers were viewed as soft on criminals, thus the social work component of policing, personified in policewomen, was not encouraged. The Staff Inspector in charge of policewomen in 1920, for example, worried that attempted rehabilitation of criminals “could be overdone”. Above all, advocates of women police who attempted to instill a more humanitarian approach in law enforcement were frustrated by male institutional resistance. In 1928, Evelyn Le Sueur, a college-educated social worker who had served as Vancouver policewoman until a clash with the chief of police, identified police prejudice against women and an outdated reliance on “strong-arm methods” as barriers to progress.<sup>76</sup>

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73. *Telegram*, 29 June 1922; *Globe*, 26 June 1922; *Star*, 22 June, 28 Oct. 1922, 21 June 1934; *ARCC*, 1923, p.8; Strange, “From Modern Babylon to a City upon a Hill”.

74. *Globe*, 24 June 1924; *Star*, 26-28 June 1924; Walker, *A Critical History of Police Reform*, pp. 92-93; *Telegram*, 24-28 June 1924. The decline in interest in policewomen reflected the fragmentation of feminism’s “first wave”. See Veronica Strong-Boag, “Ever a Crusader: Nellie McLung, First-Wave Feminist”, in Strong-Boag and Anita Clair-Fellman, eds., *Rethinking Canada: The Promise of Women’s History* (Toronto: Copp, Clark and Pittman, 1991), pp. 318-319.

75. Susan Ehrlich Martin, *Breaking and Entering: Policewomen on Patrol* (Los Angeles: University of California Press, 1989), chapter 2.

76. *Star*, 2 Dec. 1920; CCAC, *Convention Proceedings*, 1923, p. 58; “Can Women Do Active Police Work in Vancouver?”, *Social Welfare*, X, 12 Sept. 1928, pp. 277-278.

The marginal position of Toronto policewomen deteriorated further during the 1930s. By 1935, Chief Constable Brigadier-General D.C. Draper employed the terms policewoman and matron interchangeably, reflecting the blurring of their roles. As departmental "helpmates", women officers received a salary equivalent to 60 percent of a first-class constable's and were not included in the police benefit fund. Nor did women benefit from the expansion of the civilian staff of clerks and stenographers. In the militaristic atmosphere of Draper's regime, most support jobs went to men until the late 1930s.<sup>77</sup> In 1936, the Local Council of Women asked the police commissioners to hire four women in order to provide teams of female officers twenty-four hours a day. The Council claimed that policewomen performed a great variety of essential services and that the thousand-man police department ignored preventive work in favour of "punitive" policing. This and similar requests were refused on the grounds of economy.<sup>78</sup> It is more than ironic that the department under Draper downplayed policewomen, but sponsored, for the sake of publicity, an annual beauty contest, which prompted protests from the Local Council of Women. Several years later, a magazine article revealed that Toronto's few policewomen, despite periodic undercover work, more resembled clerks and matrons than the relatively active women officers of the 1910s and 1920s.<sup>79</sup> Although the Toronto experiment in women police was fairly progressive by Canadian standards, earlier hopes of using women to "socialize" policing had all but vanished by World War II. The emphasis on the crime-fighting model of policing, the expansion of new institutions such as the Court of Domestic Relations, and resistance within the police institution confined women to a token role in law enforcement.

The three examples of social service examined above were part of a web of police legitimation that included the care of lost children and the adjustment of family and neighbourhood disputes. The spotless reputation and militaristic discipline of the Toronto department makes it tempting to conclude that the police were distant from the working-class population.<sup>80</sup> Yet the Toronto force, if more formal than others in its public dealings, performed a service role that was highly personalized, minimally coercive and often genuinely helpful. That the bulk of recorded police work was coercive — arrests for drunken and disorderly behaviour, prosecution for prostitution, illegal liquor and gambling and the enforcement of a variety of municipal by-laws — does not detract from the importance of police services. Despite their moralizing mission, policewomen were not simply an expression of middle class self-interest.

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77. ARCC, 1935, 10; *Star*, 14 Jan. 1925; City of Toronto Archives, RG9 A11, *Police Salary Account Book*, 1915-1946.

78. *Minutes of the LCW*, 7 Jan., 19 May 1936, 9 March 1937; *Globe*, 20 May 1936; *Star*, 20 May 1936; J. Pitsula, "The Emergence of Social Work in Toronto", *Journal of Canadian Studies*, XIV, 1, 1979, pp. 35-42.

79. *Star*, 7 March 1940; Trent Frayne, "Vice Squad", *Maclean's Magazine*, June 1948, p. 63.

80. Rogers, "Policing Toronto the Good", p. 127.

Unfortunately, this service was constrained by the prevailing notion of gender. The police station, part of an alien world for the middle class, was for the working class an important institution. As Susan Houston has observed, despite the class biases of criminal justice institutions and social agencies, their intervention into working-class life “was not entirely unwelcome.”<sup>81</sup> In 1943, J.W. McFadden, Toronto Crown Attorney, no doubt exaggerated when he told an assembly of police chiefs: “The police are the poorman’s solicitor, and if they get into trouble, it is to the police station they come.” Yet McFadden’s point would not have been lost upon the thousands of transients and women who *approached* the Toronto police for assistance in the three decades prior to the Second World War. With the rise of the radio patrol car during the 1930s, the police social service role was not ended, but rechanneled, to the extent that a significant percentage of police calls involved domestic crises and similar interpersonal disputes. Like it or not, the working class depended on the police.<sup>82</sup>

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81. Houston, “The Waifs and Strays of a Late Victorian City”, p. 141.

82. CCAC, *Convention Proceedings*, 1943, 67; see M.G. Marquis, “The Early Twentieth Century Toronto Police Institution” (Ph.D. thesis, Queen’s University, 1987), chapter 2.