



## ON THE FRONT COVER

WALLACE T. OPPAL, Q.C.,  
ATTORNEY GENERAL OF B.C.

By Richard C.C. Peck, Q.C.

The cover of this issue of the *Advocate* bears the visage of our Attorney General, Wallace Taroo Oppal, known to just about everyone as “Wally”. Given the office he holds, he is entitled to be addressed as “Mr. Attorney”, but consistent with his egalitarian beliefs he eschews such formality.

Wally is widely recognized for his singular qualities of keen intelligence, great sense of humour, incisive wit, personal charm and abiding fair treatment of all those he encounters. His good works for more than four decades have resulted in him becoming an eminent, widely recognized and highly respected figure on the Canadian legal scene.

None of this would have been readily predicted if one could cast an eye back to his origins and early years. Indeed, his background had many of the trappings of an Horatio Alger story.

Wally was born in Vancouver General Hospital in 1940. His father, Hari Singh Oppal, had come to Canada as a boy around 1912 and lived in Vancouver. In 1930, Hari Singh returned to India, where he met and married Wally’s mother, Gurdial Kaur. The couple then settled in Vancouver and, over time, had two sons, Wally and his younger brother Harry, born in 1942. The family lived in humble circumstances, but Hari Singh always had an eye to bettering the family’s lot and after a number of years of hard work in the mill industry went into partnership with Doman Singh, father of the late Herb Doman. Together they built a sawmill on Vancouver Island. Eventually, the family moved to the Island, settling in the Lake Cowichan area. Sadly, the mill venture had failed by this time, a significant blow in itself, but soon followed by an even greater loss: Hari Singh died, leaving Wally, then ten years of age, and his brother Harry fatherless, and Gurdial Kaur bereft of a husband.

It now fell to Wally's mother to support and raise her two sons. As an immigrant woman with limited English-language skills she struggled to obtain employment and eventually secured a job with the Stone brothers, well-to-do mill owners, where she worked as a housekeeper and helped raise the Stone family children. The Stone brothers were so impressed with her fortitude, determination and kindness toward their children that they built a house for her on one of their properties in Duncan, B.C. Thus, through her signal efforts, the small family avoided penury and the boys were given a chance to succeed.

Throughout his early years, Wally attended elementary school in Lake Cowichan, followed by graduation from Lake Cowichan High School in 1958. During his high school years he was a solid student and very active in sports, particularly basketball and baseball, excelling in the latter. He was also president of the student council in his senior year—a portent of the popularity he would soon enjoy in his adult life.

It is noteworthy that Wally's participation in baseball became a lifelong passion. To this day he remains a fount of knowledge on the subject, and if one challenges him on any aspect of its history his response will be quick and accurate. For example, he can tell you who was on deck on October 3, 1951, when Bobby Thomson hit the home run known as "the shot heard round the world".

After graduating from high school, Wally set out for Chicago to enrol in broadcasting school with the goal of becoming a radio announcer—a dream likely inspired by listening to Dodgers and Yankees games on the radio, a typical family pastime in the days prior to the advent of television. As it happened, the allure of radio announcing faded. Wally returned home and entered the University of British Columbia, where he graduated with a bachelor of arts degree in 1963, followed by attendance at the UBC law school, graduating in 1966. Like so many of that generation, Wally put himself through university by dint of hard work, in his case, labouring in sawmills during the summers.

He obtained articles with the Shulman, Tupper firm, whose offices were located at 510 West Hastings Street in Vancouver (the Standard Building). There he worked closely with a number of skilled counsel, including John Laxton, Q.C. Upon his call to the bar in 1967, he was offered employment at the Thompson McConnell firm, which had a particular expertise in municipal law as well as a goodly amount of contract prosecution work in the Surrey/White Rock area.

As matters turned out, Wally did not start working at Thompson McConnell until 1968. During this interlude he embarked on a world tour with two of his oldest and closest friends, Terry Lashman and Bobby Jawl. Starting in Japan, this dauntless trio travelled, *seriatim*, to Taiwan, Hong

Kong, India, Iran, Lebanon, Rome, Nice, Madrid, Paris and London. This jaunt opened the future barrister's eyes to the world at large and gave him a significant insight into the conditions in which many people struggle to live. It also fired an abiding interest in history, an area in which, to this day, he remains an ardent and prolific reader. Indeed, his knowledge of history is remarkably detailed. For instance, ask him to name LBJ's dogs or what year the *Lusitania* sank.

Upon joining Thompson McConnell, Wally learned that the firm had a somewhat conservative outlook involving a number of "in house" rules. One of these was an edict that members of the firm not attend an establishment down the street called the Tudor Inn because it had "dancers". Of course, such a ban was nothing more than a siren's call to the younger members of the firm. Rules, as we know, foment exceptions.

At Thompson McConnell, Wally found himself engaged in prosecution work. His abilities were quickly recognized, leading to his acting as junior counsel to such luminaries as David Hinds, Q.C. (later Mr. Justice Hinds) and Bob Selkirk, Q.C. Wally's first big break came when he was given the task of prosecuting the Andy Bruce case after Bob Selkirk became ill. This was one of Vancouver's early gangland slayings. Notwithstanding a vigorous defence by one T.L. Robertson, Q.C., Mr. Bruce was ultimately convicted. An array of significant trials followed. In the mid-1970s, Wally acted as co-counsel with the late Doug Hogarth in the prosecution of Tatley and Lewis, in what became known as the "Kettle bomb" case. While the name of this case may not resonate with many readers, it was, at the time, an extremely high-profile assize trial with G. Jack Harris, Q.C., acting for Lewis and Tom Braidwood, Q.C., for Tatley.

By this time in his career, Wally had left Thompson and McConnell and set up shop with his great friend, John Campbell, in offices on Fraser Street in South Vancouver. The two worked hard to establish themselves, handling an array of cases, a sort of "soup to nuts" practice, with an emphasis on criminal law work consisting of both prosecuting and defending.

Predictably, as Wally's courtroom skills became annealed in countless assize trials, he was called upon to handle many cases of significance throughout the 1970s. These included prosecuting the last two persons convicted in this province of murdering police officers. Perhaps most notably, Wally prosecuted Ellery Long, the last person sentenced to hang in Canada. As was the custom in those pre-abolition days, Mr. Long's sentence was commuted to one of life imprisonment. Interestingly, for many years thereafter, Wally received Christmas cards from Mr. Long—including one at the time of his appointment to the County Court, which read, in part, "Don't forget that I helped make you famous."

By the early 1980s, Wally's abilities as an advocate had come to the attention of the late Allan McEachern, then Chief Justice of the Supreme Court. In 1981, the Chief Justice recruited Wally to the County Court of New Westminster. After a year, he was moved to the County Court of Vancouver. Again under the auspices of Chief Justice McEachern, Wally was appointed to the B.C. Supreme Court in 1985. Not surprisingly, Wally regards Allan McEachern as having been the person with the greatest influence on his career, an outstanding role model and mentor and the pre-eminent legal figure of his day.

During his years as a trial judge, Wally encountered the human condition in a multiplicity of forms, manifested by the characters who appeared before him. A few illustrations are of note. During one criminal trial, defence counsel rose to object to the admissibility of certain evidence, based on an infringement of his client's *Charter* rights. The exchange went as follows:

- Oppal J.:* What section of the *Charter* are you relying upon, Mr. Bloggs?  
*Mr. Bloggs:* I am not prepared to tell you at this time, My Lord.  
*Oppal J.:* Very well then, I'll put you down for sections 7 to 15 and 24(1) and (2).

No one ever said that Wally was at a loss for words!

In another case, defence counsel was challenging the credibility of an undercover police officer testifying before a jury in a drug trial. The following exchange took place:

- Mr. Bloggs:* You've lied to this jury, haven't you, constable?  
*Constable:* No sir, I have not.  
*Mr. Bloggs:* In fact, as an undercover operator you engage in acts of deceit, correct?  
*Constable:* Only to carry out the role.  
*Mr. Bloggs:* And when you told my client you were a drug trafficker, that was a lie, wasn't it?  
*Constable:* Yes.  
*Mr. Bloggs:* And when you told my client that you were associated with a criminal organization, that was a lie, wasn't it?  
*Constable:* Yes.  
*Mr. Bloggs:* And when you told my client you had access to large quantities of cash, that was a lie, wasn't it?  
*Constable:* Yes.  
*Mr. Bloggs:* And so all of this makes you a very facile liar, doesn't it?  
*A juror:* Can't you stop this "B.S." cross-examination, My Lord?

In a different context, one day Wally was sitting in his Supreme Court chambers with the door closed. He noticed that the Court of Appeal listings had been shoved under his door. One of his judgments had been circled in red ink, and the following words had been penned by one of his fellow judges: "When this panel has finished with you, there won't be enough left for a decent burial."

In June 1992, Wally's activities as a Supreme Court judge were interrupted when he was appointed to conduct a commission of inquiry into policing in British Columbia. After two years of intense work, he transmitted his two-volume report to the Attorney General of the day, Colin Gabelmann. This report stands as a model for policing and has been referred to in countless studies in other jurisdictions over the past 15 years.

In 2003, Wally was appointed to the B.C. Court of Appeal, where he served until 2005. For many years he had been courted by political parties, both federally and provincially. He eventually succumbed, retired from the bench, ran for the provincial Liberals and was elected in May 2005. His appointment as Attorney General followed immediately. In this new role he has been extremely active, which should come as no surprise to anyone who knows him, given his unique previous experience as a lawyer, judge and commissioner.

Throughout all of this, Wally has remained devoted to, and very involved in, the lives of his two children, Josh, 19 years of age and Jasmine, 14 years of age, in whom he takes immense pride.

As we look forward, it is interesting to speculate on what lies ahead for this remarkable man, particularly with the next provincial election looming on the horizon. Whatever it is, it will be something significant and will be marked by his abiding concern for the welfare of others.



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