

## Ashley Smith family demands criminal probe

Tuesday, November 2, 2010 / 6:06 PM

CBC News

The family of a New Brunswick teen who asphyxiated in an Ontario prison cell while guards watched is demanding a formal criminal investigation by the RCMP into her death.



*Ashley Smith is shown being restrained in a New Brunswick correctional facility in footage obtained by CBC TV's The Fifth Estate. (CBC)*

Ashley Smith, 19 at the time of her death, was in solitary confinement and on suicide watch when she strangled herself with a piece of cloth in October 2007 at the Grand Valley Institution for Women, a federal prison in Kitchener, Ont.

Her family has sent two letters to the head of the RCMP demanding a formal criminal probe into the abuse they say she suffered at Grand Valley, Joliette Institution in Quebec and other institutions across the country.

"We have requested the RCMP conduct this investigation because we say the conduct is actually representative of a culture that spanned the 11 months [she was in custody]," family lawyer Julian Falconer said.

Among many revelations since her death, investigators have learned that a few months before her death while at Joliette, Smith was removed from her cell, placed in restraints and given injections of tranquilizers and anti-psychotic drugs after she pulled a metal plate off a cell wall and began hurting herself with screws.

In addition to an investigation of Smith's treatment at Joliette, the family has asked the RCMP to investigate the existence of management orders in the Grand Valley facility that had guards believing they could not enter Smith's cell until she stopped breathing, Falconer said.

"How in this country can we be doing this to people and the police not be called?" Falconer asked.

The family has not heard back from the RCMP; nor have they received an acknowledgement that the letters were even received, Falconer said. Subsequent to Falconer's comments, the RCMP confirmed to CBC News that they had received the letters and were reviewing the family's request.

Meanwhile, coroner's counsel Eric Siebenmorgen on Tuesday granted a request from Smith's family and recommended the inquest into her death be broadened.

It will now be able to examine how transferring Smith between various institutions 17 different times in the last year of her life affected her mental health.

"The establishment of that kind of a connection and how it might relate to Ashley's state of mind on the date of her death, that's a matter that the jury can legitimately inquire into, and there should be some evidence about that," Siebenmorgen said.

In late September, an Ontario coroner delayed the inquest into Smith's death from Nov. 1 until January 2011 and agreed to hear arguments from the family on whether to widen the scope of the probe

*With files from the CBC's Dave Seglins*