

Ashley Smith inquest delayed until April

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Ashley Smith in 2003 on a trip with the New Brunswick Youth Centre.

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More than 100 witnesses are scheduled to testify at the inquest into the prison death of teen inmate Ashley Smith, which has been delayed until April.

Smith's family requested the postponement. Her mother, Coralee Smith of Moncton, N.B., is recovering from quadruple bypass surgery, the family's lawyer told the coroner's court in Toronto on Tuesday.

In November, Coroner Dr. Bonita Porter ruled to expand the scope of the inquest to include all circumstances that may have affected the 19-year-old's state of mind when she tied a piece of cloth around her neck in October 2007 and pulled tight as correctional officers at Kitchener's Grand Valley Institution watched. They were under management orders not to intervene, as long as she appeared to be breathing.

Smith had been tagged a difficult inmate, by the correctional system, whose self-harming behaviour triggered too much paperwork.

When she died, Smith had spent almost a year in federal custody. She had been transferred 17 times throughout institutions in the Maritimes, the Prairies, Quebec and Ontario. She served most of that time inside barren segregation cells wearing little more than shackles and a tear-proof suicide gown.

Porter's decision to consider Smith's entire year in custody as opposed to just the time she spent in Ontario has resulted in the release of tens of thousands of additional documents from Corrections Canada, which lawyers are still sifting through.

It is possible that the documents will yield additional witnesses beyond the 100 already listed with the coroner's court, said Breese Davies, who is representing a prisoner advocacy group, the Canadian Association of Elizabeth Fry Societies, at the inquest.

Lawyers representing doctors, nurses, corrections managers and guards, as well as prisoner and children's rights advocates, all agreed the Smith inquest will likely continue for at least six months.

The family's lawyer, Julian Falconer, suggested it's possible that the inquest may take as long as a year.

Porter said it is "unreasonable" to expect a jury to sit through the summer, so court will break for July and August, resuming in September.

"It's already now been over three years since the death of Ashley Smith," said Eric Siebenmorgen, head lawyer for the coroner's office. "Everybody wants to get this started."

The probe was scheduled to begin at the end of this month. The request for a delay was supported unanimously by lawyers representing other parties at the inquest, some of whom cited their own scheduling conflicts.