

Videos show 'dehumanizing' treatment of teen Ashley Smith

Corrections Canada had tried to stop videos from being made public

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Disturbing Ashley Smith video3:07

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Videos of teenager Ashley Smith taken in the months before she died in a prison cell show the teen was subjected to “degrading and dehumanizing” treatment, her family’s lawyer told a coroner’s hearing in Toronto Wednesday.

Julian Falconer led the hearing through the video clips shot prior to Oct. 19, 2007, the day the New Brunswick teen died from strangulation after tying ligatures to her neck in her cell at Grand Valley Institution for Women in Kitchener, Ont.

Corrections Canada had gone to court to try to block the videos from being made public, but lost the case. Falconer is now fighting to have the videos played in front of a coroner's jury.

"To people who think this can't happen in Canada to a mentally ill 19-year-old, you know a picture speaks a thousand words. I'm embarrassed to be Canadian when I look at that video," the lawyer said outside the hearing.

In one of the videos, the 19-year-old is seen on an RCMP plane being transferred from a correctional service psychiatric facility in Saskatchewan to one in Quebec.

Smith is wearing two mesh hoods to stop her from spitting.

The RCMP co-pilot can be seen duct-taping her hands together and then to her seat. He then threatens to duct-tape Smith's face if she does not behave.

"This is how the [correctional service] does business in transferring a victim," Falconer said.



A video played at the coroner's hearing shows Ashley Smith being duct-taped to a seat on an RCMP plane while being transferred from Saskatchewan to Quebec.

Another video shows Smith tied to a gurney at Joliette Prison in Quebec after she tried to cut herself in her cell. She is surrounded by corrections officers in full riot gear, including shields.

One of the officers places a shield on Smith's torso while a nurse injects her with a tranquillizer, described by Falconer as a "chemical restraint." She received five more injections over the next nine hours, the hearing was told.

Another video taken on July 26, 2007, shows half a dozen guards in riot gear entering Smith's cell at 5:32 a.m. and telling her she had to have two injections in preparation for a transfer to another facility. Smith objects mildly but, surrounded by the guards, she presents her arm for the shots.

Falconer said a correctional service inquiry board had determined Smith agreed to the shots of her "own free will and without force being used." Falconer pointed out that a psychiatrist had

only recommended drugs be administered to Smith if required and said the “abuse” of the rules contributed to her death.

Smith was first incarcerated at the age of 15 for throwing crab apples at a postal worker.

She racked up six years worth of additional time behind bars for infractions while in youth custody — so many that she eventually ended up serving time in the federal adult prison system.

During the year she spent in federal custody, Smith was transferred 17 times between nine institutions in five provinces.

The correctional service is arguing that presiding coroner Dr. John Carlisle has no jurisdiction to investigate how Smith was treated in prisons in other provinces and that the videos should not be shown to the jury.

The agency is fighting to narrow the scope of the inquest into Smith’s death, claiming the coroner has no jurisdiction to delve into the federal prison system.

Falconer called the position absurd.

“Don’t let them get away with it,” he told Carlisle.

“If you mistreat someone often enough, surely that will affect how they behave.”

Focus of inquest questioned

Carlisle wants a broadly focused inquest that looks, among other things, into how the teenager was treated after repeated episodes of self-harm.

Lawyers for the correctional service and three Ontario doctors involved in Smith’s treatment argued Carlisle's approach oversteps his legal and constitutional authority.

"This has become an investigation into how [Corrections Canada] treated Ms. Smith, and not an investigation into her death," correctional service lawyer Nancy Noble said.

Carlisle wants to turn the inquest "into full-blown inquiry into operations and management of [Corrections Canada]," she said.

The agency wants the inquest limited to Smith's time at Grand Valley Institution, said Lori Pothier, a spokeswoman for Corrections Canada.

The hearing was adjourned until Nov. 13.

The coroner’s inquest is set to officially start with a jury in January.

With files from The Canadian Press