

## Prison chief fights release of Ashley Smith video

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Family of teen who killed herself in jail seeks access to disturbing videos.

**Diana Zlomislic** Staff Reporter

Corrections Canada says the family of Ashley Smith is abusing the legal process by asking its commissioner to release videos showing the teen inmate being duct taped and forcibly injected with drugs by prison staff before her death.

Correctional service lawyers will be in a Toronto court on Monday seeking to quash a summons that would force corrections commissioner Don Head to appear in court with the original videos and copies of all records describing force used against Smith during the 11.5 months she was incarcerated before her death.

The family argues the materials are critical to an upcoming judicial review that will determine whether an Ontario coroner erred in her ruling dismissing the evidence as irrelevant to the upcoming inquest into Smith's death.

The prison service says the family's actions amounts to an abuse of process "by asking that the exact material which the coroner refused to obtain in the inquest be provided to them."

The motion to quash the family's summons notes the commissioner was appointed to his job eight months after Smith died and "was not involved in the making of the videos."

Smith, 19, died in a segregation cell at Kitchener's Grand Valley Institution on Oct. 19, 2007. She strangled herself with a ligature while prison staff watched. Correctional managers warned guards they would be disciplined if they intervened before she stopped breathing. She had been labeled a problem inmate because of regular self-harming behaviour.

Smith, who was first jailed at 15 in New Brunswick after throwing crab apples at a mailman, was punted to the adult system because of bad behaviour in juvenile detention. She served most of her federal sentence in segregation cells across the country wearing nothing more than a suicide smock.

During some of the transfers, she was duct-taped to the seat of the plane she was travelling in and forced to wear a "spit hood" that covered her entire head. The family says there is video evidence of these transfers.

Three months before her death, Smith was forcibly injected with tranquilizers, threatened by medical staff and strapped to a gurney without food or water for 12 hours at Joliette prison in Quebec. Her requests for a clean tampon were ignored as she lay bleeding in a wet gown.

Dr. Bonita Porter, the presiding coroner at Smith's upcoming inquest, said she would not compel the correctional service to release the videos because she found no "nexus" between the events on the tapes and the inmate's death.

"This is about getting the truth out," said Julian Falconer, the family's lawyer. "A picture is worth a thousand words. But there is simply no way words can express what is depicted on these videos."

