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Statement: 12 Years and Counting Since Ashley Smith Death by Homicide

FOR IMMEDIATE RELEASE

OTTAWA, FRIDAY, OCTOBER 18, 2019— On October 19, 2007, 19-year-old Ashley Smith died isolated in a segregation cell at the Grand Valley prison for women, while those tasked with her care and custody looked on.

Ashley was taken into custody at the age of 15 for breach of probation for throwing crab apples at a postal worker. Over the next four years, she was subjected to increasingly harsh conditions as correctional decision-makers failed to acknowledge that she had mental health issues. Instead they described her self-injury as “attention-seeking” or “manipulative”. By the time of her death, she had been tasered, shackled, forcibly drugged, transferred 17 times and kept in segregation—also known as solitary confinement—throughout eleven and a half months in federal custody.

Ashley’s death was ruled preventable by the Office of the Correctional Investigator and a homicide by the jury at the inquest into her death.

Bill C-83, purported by the government to be a response to Ashley’s death, will come into force next month. The Senate of Canada amended this bill to put in place non-corrections controlled mental health assessments and require transfers out of prisons to health care settings for prisoners with [disabling mental health issues](#).

Unfortunately, these amendments, and others that would have required court oversight of decisions to isolate prisoners in solitary confinement, were rejected by the government.

Instead, despite [international prohibitions](#) on solitary confinement for those with mental health issues, Bill C-83 not only continues to allow but entrenches segregation (albeit under such other names as structured intervention units and medical observation, etc.) as the default response for “managing” mental health issues in prisons. It purports to offer better health care for those in segregation but fails to actually identify what that care may be and still relies on correctional staff to recognize when such care is needed. Ashley’s family and many others remain skeptical of a prison environment where behaviours generated by mental health issues continue to be characterized as security risks instead of health concerns.

The Canadian criminal law and prison systems failed Ashley by incarcerating her in conditions known to create and exacerbate mental health issues to extents that can result in cruel and unusual punishment and amount to [torture](#). Now her name has been linked to a government bill that will not prevent others from suffering as she did.

Those of us with the privilege, authority, and ability to make changes owe it to her memory to listen to women and men who have experienced segregation and to demand an end to this unredeemably harmful practice.

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