

FOR IMMEDIATE RELEASE

Statement by Irwin Elman, Ontario's Advocate for Children and Youth on closing submissions at Ashley Smith's inquest

TORONTO, Ontario (Tuesday, November 26, 2013) – My office has had standing at the inquest into the death of Ashley Smith and today we made our closing submission to the jury.

After all the wrangling and delays, after all the tragic testimony we heard, one thing is clear: An adult custody facility is no place for a kid. Ashley Smith should not have been where she was, nor in the situation she was in. She was a young woman caught up in a system that could not meet her needs, and ultimately, it killed her. We can honour Ashley by taking this opportunity to create an approach to custody that takes into account the developmental age and stage of young people who find themselves in a correctional system designed for adults.

Through testimony at the inquest, we have seen glimpses of what Ashley's life could have been like one day. As the Provincial Advocate, I have spent a great deal of time in youth justice facilities. I have met and listened to young people and they have told me of their hopes for the future. I know they are someone's son or daughter. I know that they are, or can be, our future nurses as Ashley wanted to be one day, plumbers, accountants, entrepreneurs, social workers, and teachers.

As we have learned through Ashley Smith's experience, young people in custody, particularly those in an adult system, are vulnerable and have diverse needs. The stakes are very high for these young people and Ashley paid the ultimate price. When we fail these young people, we also fail the communities to which they return and the province. We need to make sure these young people use the time while they are incarcerated to turn their life around and leave custody better off than when they arrived. We owe it to Ashley Smith to learn from her death and make the changes that are necessary to support young people like her who struggle while in custody and prevent them from suffering the way she did.

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About the Office of the Provincial Advocate for Children and Youth

The Office of the Provincial Advocate reports directly to the Legislature and provides an independent voice for children and youth, including children with special needs and First Nations children. The Provincial Advocate receives and responds to concerns from children, youth and families who are seeking or receiving services under the Child and Family Services Act and the Education Act (Provincial and Demonstration Schools). The Provincial Advocate identifies systemic problems involving children, conducts reviews and provides education and advice on the issue of advocacy and the rights of children. The Office is guided by the principles of the UN Convention on the Rights of the Child and has a strong commitment to youth involvement.

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