While incarcerated in NOVA institution for Women, Ashley submitted seven complaints that documented a number of concerns regarding her institutional treatment, including: deprivation of basic hygienic necessities; denial of access to writing utensils or paper; denial of release from her cell for any period of time for four days; insufficient amounts of toilet paper and soap; provisions of finger foods only; access to small amounts of deodorant on her finger at a time; denial of access to underwear or sufficient sanitary products to meet her hygiene needs; excessive use of force by staff; refusal to accept her written complaint because it was written by a fellow prisoner, “even though she was not permitted paper or writing instruments”; and the institution’s failure to provide her with “a copy of the decisions from the first and fifth working day reviews of her segregation status”.

The CSC violated Commissioner Directive 061 by failing to provide Ashley an interview for five out of seven of her complaints, a requirement deemed necessary in order to provide a holistic response. According to a CSC representative, this policy violation was justified as efforts to interview Ashley remained unsuccessful due to her “being disruptive at the time or because she refused to engage in conversation”. According to Correctional Investigator Howard Sapers (2008), despite challenges faced, there is no evidence to suggest that the CSC made any added attempts “to discuss these complaints” with Ashley.

In September 2007, while imprisoned at Grand Valley Institution, Ashley made one last effort to improve her institutional conditions by submitting a final written complaint, which was not opened until two months following her death. While policy states that the CSC must prepare a response and provide it to those conducting the case investigation in cases where the griever dies, in Ashley’s case, “there is no evidence that this grievance has been either reviewed or answered”. All of Ashley’s complaints were inappropriately designated a low priority status, were not responded to in writing until “well after she had been transferred from Nova Institution”, and were all ultimately rejected by the Correctional Service. Despite the severity of Ashley’s grievances, the CSC never reviewed her institutional conditions in order to ensure “they were in keeping with law, policy and her basic human rights”. According to Sapers (2008), given Ashley’s intense restrictions, the CSC “had a heightened duty to remain vigilant of her care and treatment, inclusive of any allegations of human rights violations”.

Questions Raised

1. How can we be assured that the severity of prisoner complaints and grievances are examined from an objective position, given that it is an internal process?
2. Should the Offender Complaint and Grievance System become a separate and external body, similar to the Office of the Correctional Investigator?

Facts retrieved from:


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