



Treaty 8 First Nations of Alberta

To Protect, Promote, Bring to Life, Implement, and Sustain the True Spirit and Intent of Treaty No. 8 as long as the sun shines, the grass grows, and the waters flow.

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It is with a deep sense of regret and of responsibility that I clarify and correct the “Press Release” dated May 1, 2015 issued by the Treaty 8 First Nations of Alberta (T8FNA).

As the Chief Operating Officer, it is my responsibility to approve all press releases and the language therein prior to distribution. In this instance, I mistakenly allowed the word “automatically” to be included which changed the entire tone of the announcement.

Although, Alberta Human Services does have a policy regarding “Tissue and Organ Donation” that the T8FNA would like to see amended, there is **NO automatic** decision to harvest tissue or organs for any children-in-care. Please see Alberta Human Services Enhancement Policy applicable section below;

Request for Tissue and Organ Donation

If the young person was not the subject of a PGO/PGA, refer the hospital staff to the guardians.

If the child was the subject of a PGO/PGA:

- *Determine if tissue and organ consent would violate a religious or cultural standard for the child.*
- *Consult, if possible, with any person who ceased to be a guardian when the PGO was granted or the PGA signed if their whereabouts are known and they have been involved with the child. All attempts to locate and contact the previous guardians must be documented and placed on the child's file.*
- *Consult with the First Nations designate per s.107, if applicable, and significant others, e.g. long-term placement providers.*
- *Consult with the worksite manager who will make a recommendation to the Child and Family Services Regional Director/DFNA Director or designate. If consenting, the Child and Family Services Regional Director/DFNA Director or designate will complete the Consent by a Director or Authorized Delegate [CS2047] and sign the Alberta Health and Wellness medical consent form.*
- *If the director has reason to believe that the child and/or guardians would refuse to consent, the director may choose not to consent.*

(Sec 7.2.2, *Enhancement Policy Manual*, Revised November 27, 2014)

The concerns of T8FNA are, even though the policy states that the parents and First Nation Designate should be consulted, there are limitations on their involvement. T8FNA has been made aware that some FN Designates are not being consulted. We are also concerned that the director still has the option to authorize a harvest of tissue or organs. We do know that an instance of harvesting without parental consent has occurred at least once before.

Our largest concern is that we DO NOT know if our children that have died in care have been treated in this way. We need answers from the government so we can rest assured that these children who have passed away are resting comfortably. In that way, we will continue to pursue this issue until we know for certain.

The Grand Chief has clearly stated:

“Part of our culture is that a body must be whole when it goes back to the Creator, not dissected as the Government sees fit. The problem is that we are not a part of these conversations, instead, the Province just did it. In the 8 years this policy has been in place how many of our children have been sent back missing parts? Honestly, if people aren’t shocked by this, then they just aren’t listening.”

We believe that Alberta Human Services must change their default setting to **NOT** harvest any tissue or organs unless authorized by the parent/guardian.

We believe that AHS must make every effort to consult with the appropriate First Nation Designate and DFNA Director prior to making decisions on First Nation children.

We look forward to the appropriate discussion tables to examine this and other concerns regarding the child welfare system and the over-representation of Aboriginal Children in care.

Joseph Jobin
Chief Operating Officer
Treaty 8 First Nations of Alberta