



4-YEAR-OLD MARLO

AN INVESTIGATIVE REVIEW

Office of the Child and Youth Advocate, Alberta
October 2026

LEGISLATIVE AUTHORITY

Under my authority and duty as identified in Section 9.1 of the *Child and Youth Advocate Act (CYAA)*, the following is an individual investigative review regarding Marlo. His circumstances meet the criteria for a **mandatory review**. Marlo had received Child Intervention through a Custody Agreement within two years of his passing.

Investigative reviews are designed to improve the lives of young people by identifying ways to enhance services and supports, leading to system improvements and better outcomes for young people and their families.

The investigation process includes:

- Examination of critical issues
- Review of documentation and reports
- Review of policy and casework practice
- Personal interviews
- Other factors that may arise for consideration
- Notification and involvement of the young person's family, Band, Delegated First Nation Agency, community or cultural group, relevant Ministry, law enforcement agency, Office of the Chief Medical Examiner, Alberta Health Services, and any other person the Advocate considers appropriate.

In accordance with the CYAA, investigative reviews must be non-identifying. Therefore, the names used in these reports are pseudonyms (false names). Great care has been taken to protect their privacy; however, there is no guarantee that interested parties will be unable to identify them. Accordingly, readers and interested parties, including the media, should respect this privacy and not focus on identifying the individuals and locations involved in these matters.

Investigative reviews do not contain findings of legal responsibility or conclusions of law nor replace other processes that may occur, such as investigations or prosecutions under the *Criminal Code* of Canada. The intent of a review is not to find fault with specific individuals but to identify key issues and meaningful findings.

Marlo's experiences were unique, and he left a lasting impression on those who knew and loved him. My heartfelt condolences go out to his family and those who cared about Marlo.

Respectfully,

[Original signed by Terri Pelton]

Terri Pelton

Child and Youth Advocate (Alberta)

ABOUT MARLO AND HIS FAMILY

Marlo¹ was four years old when he was found unresponsive in his grandmother's home. The Office of the Chief Medical Examiner concluded that he died from fentanyl toxicity. The police investigated, and charges were not laid. Marlo and his family had received Child Intervention through a **Custody Agreement (CA)**² within two years of his passing.

Marlo was a young First Nation child who was curious about his surroundings and liked to be helpful. He enjoyed playing with superhero toys, trains, and planes and spending time with his animals.

Marlo was Amy and Robert's only child, and they primarily lived with his maternal grandparents, Denise and Garry, in their First Nation. Amy and Robert struggled with substance use and family violence, which affected their ability to care for him.

SUMMARY OF MARLO'S EXPERIENCES WITH GOVERNMENT SYSTEMS

Marlo from Birth to 4 Years Old

Little is known about the health services Marlo received in his First Nation. Shortly after he was born, Child Intervention received a report about emotional injury related to his parents' substance use and family violence. A safety plan was developed where Amy would stay with her parents, Denise and Garry. Over the next three months, caseworkers found it challenging to connect with Amy and Robert. They learned that the police had responded to a verbal altercation between them, but Marlo was not present; charges were not laid. When caseworkers met with Amy and Robert, they reported that they had maintained their sobriety since the altercation. Involvement ended after Robert said he would access addiction and therapeutic supports, which did not occur.

While Marlo and his parents were visiting relatives in a nearby city, Robert and Amy had a physical altercation. Robert was arrested and charged with assault and mischief, and a No-Contact Order was put in place. Child Intervention received a report about these concerns. The police and caseworkers made several attempts to contact Amy but were unable to reach her. They learned that Robert had moved in with relatives and Amy had returned to her First Nation with Marlo. When caseworkers talked to her, she was cautioned that interventions would escalate if further concerns were received; involvement ended.

Shortly before Marlo's second birthday his grandfather, Garry, passed away unexpectedly. Soon after, Amy and Robert reconciled, and Marlo and his parents moved in with relatives in a nearby city. When Marlo was two years old, Child Intervention received two reports about emotional injury related to family violence and his parents' substance use. Amy told caseworkers that she and Robert were receiving medical treatment for their addiction and that she was also prescribed medication to treat seizures and pain related to nerve damage. Robert shared that he used methamphetamine, and a safety plan was developed that included Robert not using substances around his son. Both involvements ended after it was determined that Amy was accessing addiction supports and was a sober caregiver.

When Marlo was three years old, Child Intervention received a report about emotional injury after Robert was taken to the hospital following an overdose. Amy was sober and committed to caring for Marlo. Soon after, caseworkers received an additional report about similar concerns; both parents were caring for Marlo while intoxicated and both were arrested. Amy and Robert entered into a CA, and Denise agreed to care for her grandson. Marlo was placed with her under kinship care. He was taken for medical attention for an earache that was treated.

Denise received supports for babysitting and for Marlo to attend cultural events. Amy and Robert had a parenting assessment; she was diagnosed with severe anxiety and borderline depression. Amy shared that she had been using fentanyl for three years and was prescribed suboxone. Assessment results indicated that Robert met the criteria for the Assured Income for the Severely Handicapped and was encouraged to apply for supports; it is not known if he followed through. Recommendations included drug and alcohol treatment and parenting classes. They applied for addiction treatment programming, but there were waitlists, and shortly afterward the COVID-19 public health measures were put in place, which impacted access to services.

Amy and Robert moved into Denise's home; she assured caseworkers that she would not allow Marlo to be exposed to his parents' substance use and family violence. Over the next three months, caseworkers had monthly telephone contact with the family because of the public health measures. Denise said that she was keeping Marlo safe by not allowing substance use or violence in her home. During this time, Marlo was treated at a hospital for a minor injury he received jumping on a trampoline. Intervention involvement ended at the conclusion of the agreement.

Soon after, Robert was arrested for public intoxication. Police confirmed that Marlo was with Amy, who was sober at the time. Child Intervention was notified about the concerns; however, an **Intake** was not completed.

1. All names in the report are pseudonyms.

2. Bolded terms are defined in Appendix A.

When Marlo was four years old, Robert passed away from an opioid overdose. Soon after, the police found Amy intoxicated while out in the community with Marlo. Denise was close by and agreed to take her grandson home with her. Child Intervention received a report about these concerns. The family was not contacted; it was determined that Denise was able to protect Marlo and intervention involvement ended.

Four months later, four-year-old Marlo was found deceased at his grandmother's home. The police investigated, and charges were not laid. The Office of the Chief Medical Examiner concluded that he died from fentanyl toxicity. A funeral was held in his honour, and Marlo is deeply missed by those who knew and loved him.

TIMELINE OF SIGNIFICANT EVENTS

Birth to 4 Years Old

- **Birth – 2 Years Old**

- Child Intervention involved 4 times
- Family violence between parents
 - Father charged
 - No Contact Order
- Grandfather passed away

- **3 Years Old**

- Child Intervention involved 2 times
 - Custody Agreement
 - Kinship care

- **4 Years Old**

- Father passed away
- Child Intervention involvement

4-year-old Marlo passed away

FINDINGS

Children and Family Services

Child Intervention was involved with Marlo's family numerous times because of his parents' substance use and family violence. Involvements often ended after Marlo's grandmother agreed to provide care or his parents said that they would access community-based supports. The concerns remained unaddressed, and interventions remained unchanged. Child Intervention was notified of Marlo's parents' substance use; however, follow-up did not occur. Marlo required an assessment of his safety due to the significant risk opioids pose to young children when used in their home. The Enhancement Policy Manual provides guidance on fostering a child's safety and well-being through assessing information to determine whether they require intervention services. This includes analyzing historical information to identify potential themes or patterns of behaviours, particularly as they relate to the current concerns, that were not followed. The Ministry of Children and Family Services has been notified that an internal review would be beneficial in Marlo's circumstances to determine if further system improvements are required to strengthen adherence to policy requirements related to the above-noted concerns.

Health

Little is known about the routine health services Marlo received in his First Nation. He received appropriate medical care for a minor illness and injury.

THEMES TO TRACK

1. Implementation and consistency of policy and practice expectations

Policy and practice standards outlined in the Enhancement Policy Manual related to Intake, Assessment and case planning were not followed.

2. Toxic drug supply

The Advocate remains deeply concerned about the number of young people dying from drug toxicity.

APPENDIX A: GLOSSARY

Custody Agreement (CA)

A voluntary agreement between guardians and the “Director” as defined in the *Child, Youth and Family Enhancement Act*. Decision-making is shared and the young person is placed outside the home.

Intake

A report completed when Child Intervention Services receives a community or professional concern about possible risk to a child as per the *Child, Youth and Family Enhancement Act*.

Mandatory Review

Under the *Child and Youth Advocate Act*, the Advocate must conduct a Mandatory Review when a young person dies who had an agreement or order under the *Child, Youth and Family Enhancement Act* at the time of or within two years of their death. A public report must be released within one year of being notified of the young person’s death.

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