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**TOP STORY**

*Wednesday, September 20, 2006*

**Help her or ditch her, judge tells province of 70-year-old woman**

By Richard Cuthbertson  
 The Daily News

COURT - In an unprecedented move yesterday, a frustrated judge released a 70-year-old woman from custody and dumped her on the doorstep of the health minister.

Jean Kathleen Roberts is a frail woman in trouble with the law. During recent court appearances, Dartmouth provincial court Judge Bill MacDonald has watched her sob and sputter incoherently.

He has read her psychiatric report: an assessment that, while finding her fit to stand trial, has diagnosed her with a psychotic disorder and progressing dementia. Frail, and often disoriented, Roberts reportedly suffers from Parkinson's disease.

She's spent nearly three months in custody on criminal charges. Yesterday, MacDonald made an audacious decision: he released the woman and ordered sheriff's officers to shepherd her to the Health Department's offices.

The department, he said, could give her the services she needs, or put her out on the street. He didn't want her kept in jail.

Two and a half hours after she was whisked into an office, the woman was brought downstairs to a waiting taxi. Her new



**Someone else's problem: Jean Roberts, 70, sits with a bag of her clothes in the waiting room at the Health Department yesterday in downtown Halifax, shortly after being dropped off by Dartmouth provincial court sheriff's officers. Department officials sent her to a nursing home. (Photo: Paul Darrow)**

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residence will be a nursing home with 24-hour care. Asked where she was going, Roberts replied, "Hawaii."

In court, MacDonald described the woman's actions as cries for help. He noted that for the first 69 years of her life, Roberts had no criminal record. She cared for her father after her mother died. When he passed away, she couldn't afford to keep the house. She moved into a nursing home.

For the past week, MacDonald hunted for an option other than jail. One recommendation in the psychiatric assessment was to have Roberts declared an adult in need of protection. MacDonald forwarded that report to Adult Protection Services - a government arm that deals with adult who can't cope for themselves.

No help was offered.

Roberts's lengthy list of alleged offences were detailed in court: They include arson, assault and mischief.

This spring, the woman was arrested four times in less than two months. On March 3, Roberts was accused of tossing rocks and bricks into store windows on Wentworth Street in Dartmouth.

She stuck around until officers arrived. Roberts allegedly told police she was cold, said Crown attorney Robert Morrison. She didn't have a place to sleep: if she got arrested, she could spend the night in cells.

Her lawyer, Geoff Newton, said: "She was trying to get attention. She's trying to get help. All she wants is help."

He paraphrased her appeals to police: "Someone please come help me. I just want to sleep, I just want to eat."

During that time, Newton said, Roberts wasn't in a nursing home playing cards or knitting. Community Services had put her in a motel. She footed the bill, he said.

The court heard three more incidents of a similar nature. Roberts is also twice accused of assault: both charges relate to time she spent in institutions.

But her most serious charge is arson. After her release this spring, probation and Community Services got the woman an apartment.

On June 28, she is accused of stuffing newspaper into a toaster, and closing the door of her bedroom. Smoke billowed out from her unit on Churchill Drive, and the fire department was called. She allegedly told police that she didn't like her living arrangements.

The court heard a worker attended to her three hours a day at the apartment. Roberts claimed someone showed up only once a week. She said she was starving.

[rcuthbertson@hfxnews.ca](mailto:rcuthbertson@hfxnews.ca)

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Do you agree with Dartmouth Judge Bill MacDonald's decision to release 70-year-old Jean Roberts into the hands of the Department of Health?

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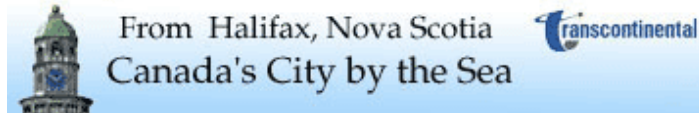
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