

Ann Marie Smith's family confronts carer in court

NEWS

The family of Ann Marie Smith says the carer who pleaded guilty to her manslaughter has finally “stood up to be counted”.



Ann Marie Smith in 2012. Image supplied by SA Police.

Rosa Maria Maione had her bail continued on Monday in a brief appearance in the Supreme Court when she reaffirmed her earlier admissions to the unlawful killing.

She will return to court in December for the start of sentencing submissions.

Outside the court, Smith's uncle Glenn Smith said while it was hard to “look at her and know what she's done” there was some relief in Maione's guilty plea.

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“She’s finally stood up to be counted. But it’s too late,” Smith told reporters.

He also questioned the checks conducted on Maione’s conduct and said the carer must have known his niece, who lived with cerebral palsy, was suffering.

“The sights, the smell. It’s all obvious. How would you not know,” he said.

Police previously alleged Ann Marie Smith died of serious criminal neglect and her death was preventable.

The 54-year-old passed away in hospital in April last year from septic shock, multiple organ failure, severe pressure sores and malnourishment.

She had been found to be living in squalid conditions in her own home, largely confined to a cane chair, while under the care of the National Disability Insurance Scheme.

In the period leading up to the death, Maione had worked as her carer.

As well as the SA police investigation, the NDIS Quality and Safeguards Commissioner Graeme Head launched an independent inquiry by former Federal Court judge Alan Robertson, with his report last year essentially clearing the commission in how it exercised its regulatory functions.

Robertson said on the question of whether it should have acted earlier to ban Maione, the commission had no information to take such action before Ann Marie’s death.

Smith said he hoped his niece, who had battled hard against her disability all her life, would be remembered as the “bright and cheery” person she was.

“She never ever bemoaned her situation. She never complained once,” he said.

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