



JAMES ... Michelle Martin-Whymark with baby Summer

Parents' 5-year wait for hospital apology over baby's death

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Health Editor

It took nearly five years, but a grieving couple have finally received an apology for the avoidable death of their baby.

Summer Martin-Whymark died at two days old in 2012. She could have survived had her mother, Michelle Martin-Whymark, been monitored properly during labour.

This would have led midwives to ask doctors to deliver Summer earlier. Instead she was starved of oxygen, causing irreparable brain damage.

Michelle and James Martin-Whymark, from Essex, never thought they would have to fight so hard for the NHS to admit why their daughter died. Michelle, 40, said: "Do they think we are going to give up? It was so clear. It was just a catalogue of errors."

Colchester University Hospital NHS Foundation Trust did not admit responsibility for what had happened until two days before an inquest, two years and seven months after Summer died. Even then there was no apology.

When the trust did apologise for errors in its care four years after Summer died it failed to admit she could have lived. Only last month did the trust finally accept blame for the baby's death.

The family's lawyer,

Emmalene Bushnell of Leigh Day, said: "The delay in acknowledging and apologising for the failures that led to Summer's death has only compounded Mr and Mrs Martin-Whymark's grief."

Michelle was overdue with Summer, so labour was induced. She repeatedly asked for an epidural but instead was given gas and air.

The poor management of Michelle's pain meant she could not keep still, which complicated the monitoring of Summer's condition. An independent expert's report found the foetal monitoring to be below an acceptable standard.

Midwives failed to act on warning signs and by the time Summer was delivered by emergency caesarean section she had suffered irreparable brain damage. She was born weighing 7lb 8oz but died 36 hours later.

Michelle said: "I remember that trip back from the hospital with the car seat in the back and it was that awful feeling that we were leaving the hospital with nothing."

Nick Hulme, the trust's chief executive, said: "I believe that we took too long to apologise to Summer's parents and I recognise that the time it has taken for our apology and for the legal processes to conclude has significantly added to their distress and grief."

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