



The case was called on in the afternoon and came before His Honour Judge Bayliss QC (we anticipate that the Coroner will have requested and been provided with a copy of the court transcript). Mr Franks was represented in court by his barrister.

In light of our concerns and those expressed in the letter (22 March 2019) of [REDACTED], Senior MH Nurse, HMP Leeds, the barrister representing Mr Franks asked the court for an adjournment of the case to allow for Mr Franks to be assessed by Probation and a Psychiatrist. This was granted and Sentence was listed to take place on 9 May 2019. Mr Franks was present in court and would have heard the Defence application to adjourn. In the circumstances, it is difficult to see how Mr Franks formed the view that he had been sentenced to five years' imprisonment. We were unaware that Mr Franks believed he had been sentenced.

The previous hearing was in February 2019 (as indicated in our statement). It was after that hearing that we contacted the prison regarding Mr Franks threat to self-harm. We received their reply in March 2019. The Regulation (page 2) refers to a previous hearing on 25 February 2017. The Regulation which was provided to the Press conveys the impression that we took no action as a result of Mr Franks' threats made at court in February 2019. With respect, this is an unfortunate typographical error. We were surprised to hear that the prison had put Mr Franks on a short-term ACCT when they were aware that he had a history of self-harm and were notified of our concerns regarding his recent threat to self-harm.

We anticipate that, on his return to the prison, Mr Franks would have presented in an agitated state bearing in mind he believed erroneously he had received a 5-year prison sentence. We respectfully agree with the jury conclusion that the prison, having a duty of care and being aware of his previous history of self-harm and suicide attempt, should have placed Mr Franks on an ACCT for his own safety.

We only learned that Mr Franks had taken his own life when our instructed psychiatrist contacted the prison to arrange an appointment to assess Mr Franks and was informed, he was no longer at HMP Leeds.

We accept there are lessons to be learned. We have always endeavoured to follow the correct protocol when threats of self-harm are made by clients. However, we will ensure that we remind appropriate organisations each time a threat to self-harm is repeated.

Yours faithfully

[REDACTED]  
PARTNER