

McCormicks Briefing

Spring 2021

Sky's the limit
New Managing Partner
Inquest insights



McCormicks
SOLICITORS

Celebrating the successful acquisition of Atlas Helicopters are, from left, Jack Schofield, Jason Schofield, James Towler and Emily Steed.



A Harrogate-based family-run helicopter private charter and management company has expanded significantly following the acquisition of a second business, which was facilitated by McCormicks.

The only way is up!

The Helicopter Company has acquired Hampshire-based Atlas Helicopters Ltd, giving it a new base with access to the London and south east markets, as well as a medevac contract for the Isle of Man TT and other motorcycle races on the island.

The Helicopter Company was established in

2008 and in 2016 Jason Schofield bought the interests of the other shareholders and his son, Jack Schofield, joined the company. The company already has bases in Scotland and the East Midlands as well as North Yorkshire.

McCormicks advised on the acquisition of Atlas, with Head of Corporate

and Commercial James Towler and colleague Emily Steed overseeing negotiations and carrying out due diligence. Sagars advised on corporate finance.

James Towler said: We were delighted to work with the Schofield family, with whom we have a long relationship, and it is great to have secured

this acquisition which will allow them to grow their business and target the market in and around London from Atlas's base in the south of England.

Jason Schofield said: We are very pleased have acquired Atlas, which enables us to grow our business in the south of England. Atlas is well established with

good clients and a great team, led by Mike Burns, who will continue as a director and Chief Pilot."

The Helicopter Company offers private charter for both business and leisure, as well as aircraft management and a helicopter purchase service.



Boost for vaccine initiative

We were delighted to act for Leeds United in the move to set up a Covid-19 vaccination centre on part of the renowned Elland Road site.

Head of Commercial Property Heather Roberts and her team acted on behalf of the

football club to agree an occupational agreement for the Leeds Teaching Hospitals NHS Trust.

Heather said: "We were delighted to be able to complete the agreement in just nine days before Christmas and contribute to the national vaccination

effort in some small way. It was a real team effort not only between the respective clients, who worked tirelessly on the detail of the site requirements, but also the local stakeholders, their lawyers and surveyors who all played their part in getting

this across the line as soon as possible. Elland Road was a natural choice for the NHS because of its great connectivity, proximity to the motorways and available parking."

Elland Road is one of four large vaccination sites set up in West Yorkshire, with others in Bradford, Huddersfield and Wakefield.



Head of Commercial Property Heather Roberts

It may be fair to say that 2021 is the year in which we all wish we had the benefit of the mythical crystal ball to see what the future holds.

Sunnier days ahead?

As I write this, we are still locked down. The Government has published its proposed roadmap for coming out of lockdown, culminating in social restrictions being lifted on 21 June but each of the four stages contains the significant words "no earlier than..." and the fulfilment of each stage is entirely dependent on whether the data continues to improve. With this and a number of other issues in mind, we have decided to cancel the

2021 Yorkshire Young Achievers Awards, about which you can read more on page 5. I am, however, pleased that two of our long-term friends and clients are seeking to hold their summer events in some form, with the Yorkshire Agricultural Society planning for a Great Yorkshire Show and Harrogate International Festivals working on the Theakston Old Peculier Crime Writing Festival, both events in July, and we wish them calm seas and fair winds.

A number of other events have already been cancelled but, at the time of writing, the Euros and the Olympics are still scheduled to go ahead. Despite the continued uncertainties in the business world, work in the practice has continued apace, albeit with the difficulties of remote working and the general inability to hold face-to-face meetings, and you can read about some of the things our team has been achieving in this issue. I am

delighted to announce that we have made Stephen Hopwood our new Managing Partner, reflecting some of the changes in the way in which we have been working and about which you can also read more in this issue. I hope that the roadmap proves able to adhere to the planned dates and that, as a result, we will see a return to the normal economic activity which underpins our lives, together with the huge benefit of being able to spend time

with our families and friends. Spring is almost here and we are all hoping for sunnier days ahead!



Peter McCormick OBE

Solicitor Stephen Hopwood has been appointed as our new Managing Partner.

New Managing Partner

He takes over the role from Peter McCormick, who will remain Senior Partner of the practice. Peter McCormick said: "As a result of both the Covid-19 lockdown and of my increased commitments since I was appointed interim Chairman of the FA in November, Stephen has taken a lot of responsibility for the day-to-day management of the business so this is a logical transition of duties for the future. I remain Senior Partner and will continue to play a very active role in the business of the firm alongside my commitments to the Premier League and the FA."

Stephen is a Partner and head of our Family department, which is ranked as one of the leading Family/Matrimonial practices in the region by the leading independent Guides to the profession, the Legal 500 and Chambers UK. He joined the practice in 2013 and specialises in all aspects of Family work, with a focus on finance and children. He is equally specialist in resolving normal family breakdowns and those with complex elements such as trusts and international elements. He is a member of Resolution and Treasurer of the Harrogate and District Law Society, of which he is a past President.

Stephen said: "I am delighted to be expanding my role with the practice and look forward to working even more closely with the great team we have here to ensure we continue to offer the best possible service to our clients."



New Managing Partner Stephen Hopwood

Strengthening the team

We have a new Solicitor in our Commercial Property team following the qualification of Tiffany Jackson. Tiffany joined the practice as a Legal Assistant and was awarded a Training Contract in 2019. She assists the Head of Commercial Property, Heather Roberts, in acting for a broad range of clients, dealing primarily with commercial landlord and tenant matters, asset management and sales and purchases across a variety of sectors including retail, industrial and agriculture. She also assists in Property Litigation work and in the property side of some Estates and Trusts work, as well as

assisting Kim Stockburn with residential property transactions. Tiffany graduated with a degree in Law and completed her legal studies at the University of Law in Leeds. Senior Partner Peter McCormick said: "Tiffany's qualification strengthens our Property team still further at a very busy time. She has worked hard, shown ambition and is highly thought of by our clients."



Tiffany Jackson

Being involved in an inquest into a death in any way can be a stressful process, not only for the bereaved but for witnesses. Partner Peter Minnikin explains the process.

Inquisitorial inquests

Hillsborough; the Manchester Arena bombing; the Grenfell Tower inferno – modern-day tragedies that cast long shadows.

Yet it is in the ancient and somewhat mysterious sounding setting of a coroner's court – the office of coroner itself dating back to the 12th century – that light is first shed on such events and the truth begins to emerge through the process known as an inquest.

High-profile and lengthy inquests into the three very different matters mentioned above have thrust such hearings into the spotlight.

But the truth is that these proceedings are more common than media coverage would perhaps lead one to believe. Tens of thousands of inquests take place in a variety of buildings up and down the country every year.

That said, inquests are



Grenfell Tower - 14 June 2017 - 72 deaths

unlike much of the justice system. They are not adversarial. They are not a case of Defence versus Prosecution, Claimant versus Defendant.

Instead, they are inquisitorial. The sole task a coroner is set is to enquire into a death and answer, on the face of it, the simple questions:

Who was the person who died, and how, when, and where did their death come about?

These may seem like relatively simple questions and, in many cases, there is no need for coroner to become involved in the answering them.

But when the cause of death is unknown, or the deceased died a violent or unnatural death, a coroner is required to hold an inquest. Around 40 per cent of deaths are referred to the coroner each year.

These hearings are

necessary but can place considerable pressure on the family of the deceased and those that may be involved in the deceased's final moments, whether they be medical professionals, employers or members of the public.

Coroners have wide-ranging powers to investigate a death and request that the police obtain statements and/or documents on their behalf. They can also

compel witnesses to attend court to give evidence.

At an inquest, the coroner will lead the questioning of any witnesses while any interested parties in the inquest are also permitted to put questions to witnesses.

Often the families of the deceased will have questions that they want answered, whether that be from individuals, professionals or public bodies.

It can, of course, be traumatic for still-grieving family members to talk about the final moments in the life of a loved one and emotional exchanges in court can occur.

Once a coroner has heard all the evidence it is up to him or her to draw their conclusion. Sometimes it will be what is referred to as a short-form conclusion. Many readers will have heard such conclusions in news reports such

Partner Peter Minnikin is Head of our Crime, Corporate Crime and Risk Department. He is a Solicitor and Higher Court Advocate specialising in all aspects of Crime, Corporate Crime, Fraud and Regulatory work.

He appears regularly in the Magistrates' Court and police stations to represent clients in respect of a full range of criminal and

motoring offences. He also represents clients in the Coroner's Court.

He is frequently instructed to represent clients as a Higher Court Advocate at proceedings before the Crown Court, often being instructed to represent defendants charged with sexual offences, fraud and violent offences.

Peter has expertise in dealing with substantial and high-profile cases, working closely with

QC's and other Counsel. He has represented clients charged with serious fraud offences, including prosecutions by HMRC. He is often instructed to represent clients charged in relation to conspiracy to supply drugs cases. These cases involve careful consideration of thousands of pages of evidence, including detailed examination of phone and financial records.

He also deals with a portfolio of Regulatory work including representing clients in disciplinary proceedings brought by professional bodies, such as solicitors, accountants, pharmacists, doctors, sporting bodies and individuals.

Peter deals with a variety of matters involving firearms and shotgun certificate law, often assisting those who have had their

firearms or shotgun certificates revoked or suspended.



Peter Minnikin



Hillsborough disaster - 15 April 1989 - 96 deaths

as "accidental death", "misadventure" or "suicide". In more complex cases the coroner can decide to give a "narrative" conclusion; this will go into more details of the cause of death and reasons for it- but remember it still answers the four key questions.

Whilst these short-form conclusions or narrative conclusions do not attribute blame or fault to an individual, adverse conclusions can have serious ramifications.

Following such conclusions, individuals may be deemed by their professional body to have been at fault or negligent.

Such conclusions can also impact on whether employers and individuals will face civil or criminal proceedings arising out of the death, or impact on the outcome of such proceedings.

The conclusions of a coroner may also have considerable impact on

the bereaved family, for example if the evidence might appear on face value that someone took their own life, when the family are adamant that their beloved relative would not have done so.

At McCormicks Solicitors we represent professionals, families and organisations at all stages of the inquest procedure from the point they are notified that the case has been referred to the coroner through to the inquest hearing in itself.

The support and advice we can offer to guide families and individuals through the inquest not only helps them to better understand the process and what to expect of it, but our involvement can also help shape the ultimate decision of the Coroner.

Because at the end of the day, however involved you are within the inquest process, it is about finding out the truth of what happened.

The Trustees of the Yorkshire Young Achievers Foundation have unanimously taken the difficult decision to cancel the 2021 Yorkshire Young Achievers Awards.

Sad decision on Young Achievers

The decision was made for a number of reasons as follows:

There is still a huge amount of uncertainty as to how the year will progress. The Government has issued potentially optimistic targets for trying to get back to normal, even if that timetable is adhered to, there will not be a sudden return to normality overnight on 21 June. The economic effects on businesses and individuals of the pandemic will continue to be felt. People will continue to be anxious about a reactivation of the pandemic. Significantly, the scientific predictions are that

if the pandemic is to return, then it will do so in the winter months beginning with November. In these circumstances, the Trustees could very easily find themselves with an event which has incurred considerable expense but has to be cancelled again.

The event relies on its sponsors and in particular the category sponsors for the funding of the event and the substantial element of the funds that result and which enable us to issue our Grants. It is difficult to contemplate any of the sponsors not being hit by the effects of Covid and it seems therefore inappropriate to ask for money at this

particular time.

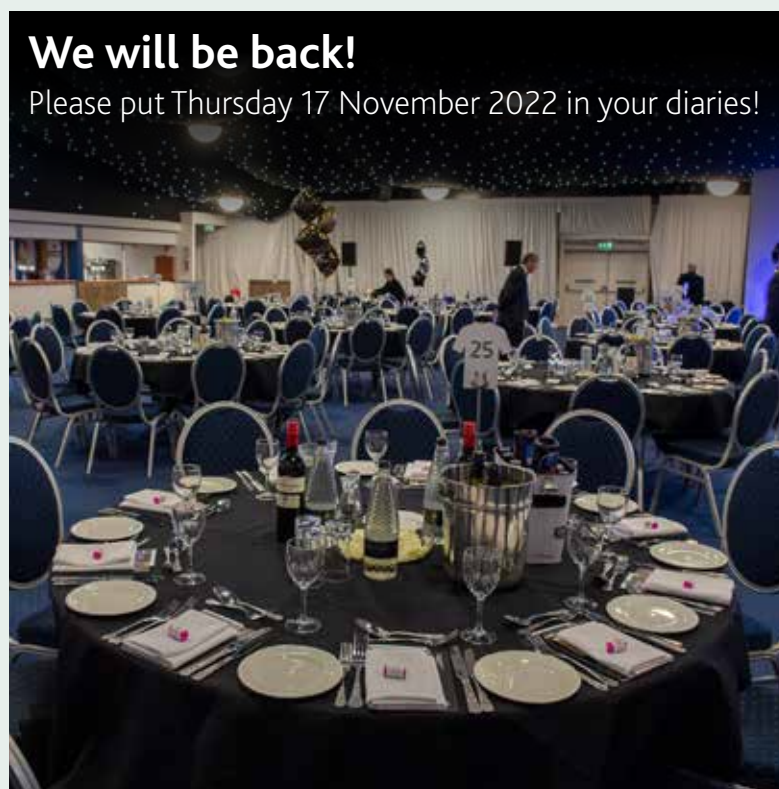
A number of people attending the event, even from within the Trustees, would be classed scientifically and medically as "vulnerable" and it would not be fair to them to seek to persuade them to attend an event.

The venue is currently, and for the foreseeable future, a vaccination centre.

Despite this year's cancellation, plans are in hand for an all singing and dancing event in 2022 and Leeds United Centenary Pavilion has been booked for Thursday 17 November 2022!



Tributes for the Manchester Arena bombing - 22 May 2017, 23 deaths (including the perpetrator)



We will be back!

Please put Thursday 17 November 2022 in your diaries!

Another Award!

McCormicks has been named Commercial Law Firm of the Year 2021 in the Corporate LiveWire Innovation and Excellence Awards.

During the awards process, more than 90,000 businesses and corporate professionals, magazine contributors and subscribers were invited to nominate companies and

individuals based on factors such as service, innovation, experience, sustainability and other key criteria.

Award winners gained a place in the Innovation and Excellence Awards Guide 2021, which will be distributed to businesses and professionals in the Corporate LiveWire network.



McCormicks contract to provide Legal Aid work has been extended for a further 18 months.

Legal Aid

Legal Aid is available in some more serious cases, mostly in the Criminal and Family courts, for those who are unable to afford

legal representation. For example, it can be applied for in cases where someone is a risk of abuse or serious harm, such as domestic

violence, at risk of homelessness or is accused of a crime and facing prison.



COVID Compliance

For the safety and wellbeing of our colleagues and clients we are complying with Government guidelines but, whilst our doors are closed, we remain open for business.

All of our clients, new and old, are important to us and we wish to continue to help with existing and new matters. To that end we can be contacted by telephone and email. Our colleagues' email addresses can be found under the 'Our People' section of our website or you can send an email to enquiries@mccormicks-solicitors.com. Alternatively, please leave a brief message on our answerphone, along with your contact details and a colleague will return your call at the earliest possible opportunity. If your call relates to our Criminal Department or the Duty Solicitor Scheme the emergency contact number is 07583 285392.

OUR EXPERTISE

McCormicks offers the full portfolio of legal services to all forms of organisation including businesses, charities and sporting bodies, together with private individuals. The firm offers expertise in all areas of corporate and commercial work whilst maintaining a commitment to the personal client in areas such as rural property, tax, trusts, probate, family matters and crime.



Charities & Community

- Charities
- Not For Profit

Corporate & Commercial

- Acquisitions and Disposals
- Banking and Finance
- Commercial Agreements
- Competition and EU Law
- Corporate Crime, Fraud and Risk
- IT and Data Protection

- Insolvency and Bankruptcy
- Intellectual Property
- Partnership and Company Law
- Regulatory and Disciplinary
- **Crime**
 - General Crime
 - Corporate Crime, Fraud and Risk
 - Dispute Resolution and Litigation
 - Commercial Disputes
 - Mediation and Arbitration
 - Partner/Shareholder Disputes
 - Property and Construction
 - Reputation Management

Employment

Family & Matrimonial

- Children
- Matrimonial

Insolvency & Bankruptcy

Mediation & Arbitration

Property

- Agriculture and Estates
- Commercial Property
- Development and Regeneration
- Residential Property

Sport, Media & Entertainment

- Employment
- IT and Data Protection

- Insolvency and Bankruptcy
- Intellectual Property
- Media and Entertainment
- Mediation and Arbitration
- Regulatory and Disciplinary
- Reputation Management
- Sponsorship
- Sport
- **Tax, Trusts, Wills & Estates**
 - Agriculture & Estates
 - Care of the Elderly
 - Tax and Trusts Disputes
 - Trust and Tax Planning
 - Wills and Probate

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