



Oliver Hirsch

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Overview

Oliver Hirsch is a criminal barrister based at 3PB's Winchester office.

Oliver now practises almost exclusively in the Crown Court, but still appears in the magistrates' and youth courts on occasion. He is regularly instructed as defence trial counsel, and was recently appointed to Level 2 of the CPS General Crime Advocate Panel.

In the past 12 months, among other things, Oliver has secured acquittals for clients accused of supplying Class A drugs and assault occasioning actual bodily harm (ABH). As prosecution counsel, he obtained a conviction for attempted robbery. He was instructed as junior counsel in cases involving historic child sex offences and county lines drug trafficking. He has appeared in the Court of Appeal, having his client's sentence reduced by 18 months.

Alongside his busy criminal practice, Oliver also accepts instructions in personal injury and regulatory cases. Recent cases include the prosecution of an e-bike retailer for regulatory offences, and a multi-track road traffic accident case in which he acted for all 3 claimants. In the past, he was pro bono counsel for the defence in a High Court personal injury claim worth more than £500,000.

Oliver is the editor of 3PB's criminal law newsletter.

Recommendations

"Totally on top of his brief, good manner with witnesses and jury, careful and not even vaguely prolix... a not guilty verdict against a lot of evidence, in part because he focused on just the right narrow issue." - **Circuit Judge**

"I was struck by his presence. He spoke well and confidently." - **Circuit Judge**

"Your expertise has not only led us to this successful result but has also provided a sense of support and confidence during the times when the situation seemed most daunting. Your ability to navigate through the complexities of this case has been nothing short of remarkable." - **Client**

Client: "Thank you for the fantastic job you did of standing up for me in court. I had never been in that situation or setting before and I'm sure it was obvious to you and everyone else that I was very nervous. I found you to be professional and I thought you brought the points of my case across very well, which I'm sure is what led to a great result." - **Client**

Academic qualifications

- Bar Professional Training Course, V Competent (University of Law)

- Graduate Diploma in Law, Distinction (University of Law)
- BA History, First (University of Oxford)

Scholarships

- GDL Exhibition Scholarship
- BPTC Princess Royal Scholarship

Professional qualifications & appointments

- Level 2 – CPS Advocate Panel – General Crime
- Vulnerable witness training, Middle Temple

Professional bodies

- Inner Temple
- Western Circuit
- Criminal Bar Association
- UK Centre for Animal Law

Expertise

Crime

Oliver Hirsch is a barrister, based at 3PB's Winchester office, who accepts instructions in both defence and prosecution work, appearing in the magistrates', youth and Crown Courts.

Criminal Defence

R v A: junior defence counsel in a multi-handed conspiracy to supply Class A drugs.

R v M: represented defendant in the Court of Appeal, having his sentence reduced by one third.

R v K: ABH, client acquitted of allegation that he assaulted his neighbour. He had argued self-defence.

R v S: possession of Class A with intent to supply – client acquitted after trial by jury.

R v E: acted as junior counsel in a multi-week trial of historic child sexual abuse allegations.

R v L: defended client at his sentencing for a knifepoint attempted robbery; highly unusually, a suspended sentence was passed.

R v B: Successfully argued that the defendant would suffer 'exceptional hardship' if her driving licence was not restored.

R v W: Mitigating for his client in a court martial sentencing for going absent without leave, Oliver persuaded the court to grant (unusually) a community service order.

R v T: client acquitted at trial; self-defence to a charge of assaulting an emergency worker.

R v C: possession of a bladed article; starting point of 18 months in custody reduced to a 6-month suspended sentence.

Criminal Prosecution

R v P: secured conviction for street robbery after trial by jury.

R v B: custodial sentence for a racially aggravated public order offence upheld on appeal.

R v P: conviction for driving in charge of a vehicle while unfit.

R v M: conviction in drink-driving case involving expert evidence.

Proceeds of Crime

R v A: Oliver persuaded the prosecution to settle, after making a novel argument that the defendant's current account balance was in fact held on trust for his bank. The client paid £16,000 less than the prosecution had been pursuing.

R v C: Oliver negotiated the amount sought by the prosecution down from £15,000 to £3,500.

Regulatory

Oliver acts in all areas of regulatory law. His most recent experience includes taxi licence appeals and a private prosecution under the electric pedal cycle regulations.

Personal Injury

Oliver Hirsch acts for both claimants and defendants across the spectrum of PI and RTA cases.

He also has a strong advisory practice, encompassing all areas of negligence and other tortious claims. Recent work includes advising on potential claims arising from a wrongful conviction, and producing a wide-ranging assessment of the law on pure psychiatric harm.

Recent cases

S, S and E v B: acted as counsel for 3 claimants, who had all been involved in a road traffic accident, in a multi track claim. After Oliver highlighted weaknesses in the defence evidence at a preliminary application hearing, the case was settled.

H v B: successfully argued claim against a well-known national retailer, which failed to conduct due diligence on the safety of an instant boiling water tap sold to the claimant.

G v S: acting for the claimant, Oliver obtained almost double the amount initially claimed, in respect of severe psychiatric injury following a high-speed motorway crash.

D v M: secured £27,500 in compensation for a claimant involved in a serious road collision, after successfully applying for relief from sanctions and conducting a contested quantum trial.

R v V: acting for the defendant, Oliver succeeded on a legal argument about the interpretation of the whiplash tariff, meaning the damages awarded were reduced to a third of those claimed.

T v P: representing a young defendant driver found responsible for an accident, Oliver secured a 50% contribution from the claimant and deprived them of their costs.

S v C: persuaded the court to disregard the account of the claimant, insofar as it departed from the expert prognosis, thereby substantially reducing the award.

Articles

Oliver Hirsch analyses the case of R v AFU [2023] EWCA Crim 23, a case in which the Court of Appeal reviews the authorities on abuse of process applications in trafficking and modern slavery cases.

The Court confirms that the police must take proactive steps to investigate a suspect's trafficking or slavery status, and in particular consider making an NRM referral.

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3PB's criminal law and personal injury barrister [Oliver Hirsch](#) discusses the reversal of the 12-month sentencing powers given to magistrates last year.

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Articles

[Oliver Hirsch](#) considers the case of Excalibur & Keswick Groundworks Ltd v McDonald [2023] EWCA Civ 18, in which the Court of Appeal has confirmed the difficulty of removing QOCS protection from a claimant who discontinues at the last moment. This follows previous decisions in the same spirit, such as Mabb v English [2017] EWHC 3616 (QB).

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