

Holly Fagan

Year of Call: 2021
Email Address: holly.fagan@3pb.co.uk
Secure Email: holly.fagan@3pb.co.uk.cjsm.net
Telephone: 01962 868 884

Overview

Holly is a specialist criminal barrister based in 3PB's Winchester office. She accepts instructions from across the Western Circuit in crime, courts martial and regulatory law.

Holly prosecutes and defends multi-handed cases, cases involving vulnerable witnesses, special measures, interpreters and unrepresented defendants. Recent instructions have included robbery, GBH, ABH, coercive and controlling behaviour, supplying class A drugs and dangerous driving.

Holly has a calm and confident manner which enables her to quickly establish a rapport with her clients. She is an eloquent and effective advocate who will always fight for the best outcome.

During her legal studies, Holly volunteered as an Appropriate Adult in police interviews, which enhanced her ability to communicate with vulnerable adults and youths.

Before converting to law, Holly worked as a management consultant with regulated infrastructure businesses. After qualifying, Holly worked as a Screening Case Officer for the Nursing and Midwifery Council. These experiences gave her insight into the business context of regulation and professional discipline respectively. Holly is keen to develop her practice in these areas of law.

Outside of work, Holly enjoys hiking and pottery.

Recommendations

"It was a very difficult trial and you came through it very well. You never lost your poise, you impressed me with your coolness under fire, you made good points throughout and in your final speech. I thought your cross-examination of the complainant was very good and laid the ground well for the trial." **Crown Court Judge**

"I have never had someone fight my corner like you have." **Client**

"I noticed on your sentencing notes that you are still doing pupillage – not something I would have otherwise guessed from the confidence with which you dealt with the various cases you presented. Your very thorough sentencing notes were of great assistance, not least because you distilled the facts of the cases succinctly and your application of the relevant sentencing guidelines was considered and reasonable. This was particularly so in relation to the case of R v B, where you marshalled the facts of multiple offences over a number of different incidents capably and concisely in both your written and oral advocacy. Furthermore, your overall manner in Court was calm and assured." **Crown Court Judge**

"You were excellent. Your questions were well-structured and helpful. We are pleased to get this trial done in one day and that is largely down to you and your succinct and focused questioning." **Chair of the Magistrates'**, after prosecuting a two-

handed full day trial with teenage defendants.

"Holly, you are nothing short of brilliant. Thank you!" **Criminal Defence solicitor**

Academic qualifications

- BPTC, BPP London (Very Competent)
- GDL, BPP London (Distinction)
- BA History, University of Leeds (2.1)

Scholarships

- The Reader's Scholarship (Middle Temple)
- Career Commitment Scholarship (BPP London)

Professional qualifications & appointments

CPS Grade 2 General Crime Panel

RASSO panel

Professional bodies

- Middle Temple
- Women in Criminal Law

Expertise

Crime and Regulatory Crime

Offences against the person

R v M [2026] (defending) – Intentional strangulation x 2: one count was withdrawn from the jury at half time following Holly's submissions that there was no case to answer and client was unanimously acquitted by jury of second count.

R v R [2026] (defending) – Intentional strangulation: client unanimously acquitted and maintained his good character.

R v S [2025] (defending) - ABH and intentional strangulation: client unanimously acquitted.

R v S [2025] (defending) – Harassment with fear of violence x2: Holly represented a young male accused of harassing two people, including threats of violence. S was unanimously acquitted of both charges.

R v B [2025] (prosecuting) – Assault of an emergency worker.

R v K [2025] (defending) – GBH with intent: Holly represented an 18-year-old female charged with GBH with intent and without intent in the alternative. K was unanimously acquitted of both charges.

R v J [2024] (defending) – Junior in a case of controlling prostitution for gain and people trafficking for exploitation. The jury could not reach a verdict.

R v T [2024] (defending) – Robbery with threats with a knife: Holly persuaded the court to impose the absolute minimum sentence possible for the level of offending, which was 3 years.

R v G [2024] (defending) – Crown Court – Intentional strangulation (and other offences): following Holly's cross-examination of the Complainant, the prosecution dropped the charge of intentional strangulation.

R v B [2024] (defending) – Client acquitted of one charge of intentional strangulation.

R v C [2024] (defending) – Client acquitted of one charge of 4 years of coercive and controlling behaviour and one charge of assault.

R v C and others [2024] (prosecuting) – Disclosure junior for the prosecution in multi-handed murder and conspiracy to rob trial in which all defendants were convicted.

R v C [2024] (defending) – Successfully opposed a hearsay application by the prosecution which resulted in them offering no evidence on counts of coercive and controlling behaviour and assault.

R v O [2023] (defending) – Assault emergency worker: CPS discontinued case after Holly made submissions re realistic prospect of conviction.

R v A & A [2022] (prosecuting) – ABH: prosecuted sentencing hearing in which the victim was knocked unconscious during an assault by two defendants. This case was covered in the media: Brothers kicked unconscious victim in the head during attack | Bournemouth Echo

Sexual offences

R v C [2026] (prosecuting) – Sexual assault: successful prosecution of defendant who sexually assaulted a stranger in a bar multiple times.

R v S [2025] (defending) – Sexual assault: client acquitted of sexually assaulting two people on a night out in a pub.

R v P [2024] (defending) – Client acquitted of attempted assault by penetration.

R v V [2023] (defending) – 2 x Attempting to meet a child under 16, following sexual grooming: despite the custody threshold being crossed, Holly persuaded the court that a community order was appropriate.

R v B [2023] (defending) – Sexual assault x 3: D accused of sexually assaulting two 15-year-old girls. Persuaded the Court that the accounts of the complainants and other witnesses were inconsistent and D was acquitted of all charges.

R v P [2022] (prosecuting) – Sexual assault, assault by beating and possession of a bladed article: prosecuted sentencing hearing in case in which the defendant had sexually assaulted a teenage girl and assaulted other children in the home.

Weapons

R v G [2025] (defending) - Possession of an imitation firearms with intent to cause fear of violence: Holly's client was acquitted halfway through the trial after a successful legal argument where the judge agreed her client had no case to answer.

R v H [2023] (defending) – Affray: when no prosecutor attended on two consecutive days for trial, Holly successfully applied for the case to be dismissed for want of a prosecution and a not guilty verdict was entered by the court.

Dishonesty offences

R v S [2024] (defending) – Perverting the course of justice: represented client in unusual case which attracted national news coverage including the Telegraph and Daily Echo.

R v P [2023] (defending) – Non-dwelling burglary: defended sentencing hearing. Holly persuaded the Court to suspend the sentence of imprisonment despite D's record of 15+ non-dwelling burglaries.

R v G [2023] (defending) – Theft from a person: client acquitted.

R v D [2023] (prosecuting) – Fraud: prosecuted a company director who faced charges of failing to pay a VAT security or cease trading.

Motoring offences

Holly has experience of defending 'exceptional hardship' arguments.

R v L [2023] (defending) – Driving whilst using a mobile phone: CPS discontinued case after Holly made written submissions re realistic prospect of conviction.

R v D [2023] (prosecuting) – Causing serious injury by dangerous driving: prosecuted sentencing hearing in case where victim had to have his leg amputated at the roadside following a collision. The case was covered in the media: Drink driver jailed for Bournemouth crash with motorcyclist | Bournemouth Echo

Other criminal cases

R v H [2024] (defending) – Production of cannabis: Holly persuaded the CPS that her client was a victim of modern slavery and the case against him was dropped.

R v F [2023] (defending) – Possession with intent to supply 9kg of Cannabis.

R v E & F [2023] (prosecuting) – Hunting and night poaching: prosecuted a two-handed trial in which both defendants were convicted of multiple offences.

R v W [2022] (prosecuting) – Malicious communications: successfully prosecuted a trial in which intoxication was raised by the defence.

Marine and Fisheries

Southern IFCA v DA and JS [2026] – Holly was instructed to represent the Southern Inshore Fisheries and Conservation Authority in a case of unlawful use of a dredge in multiple locations around Poole Harbour.

Port of London Authority v K [2026] – Holly defended a client accused of driving his vessel without due care and attention and causing excessive wash on the river Thames. The client pleaded guilty. Holly ensured the financial penalty and costs were kept to a minimum.

Poole Harbour Commissioner v N [2026] – Holly is instructed by the Poole Harbour Commissioner to prosecute a case in which one boat crashed into another boat (ongoing case).

Poole Harbour Commissioner v J [2026] – Holly prosecuted the sentence of defendant who hit a swimmer with his speed boat. Full costs were recovered from the defendant as well as compensation for the swimmer.

Poole Harbour Commissioner v H [2025] – Holly prosecuted the sentence of a defendant caught speeding on his jet ski.

Firearms

R v G [2025] (defending) - Possession of an imitation firearm with intent to cause fear of violence (3 defendants): Holly's client was acquitted halfway through the trial after a successful legal argument where the judge agreed her client had no case to answer.

Holly completed training on how to effectively cross-examine a firearms expert as part of the New Practitioners' Training Course in 2025.

Articles

Holly Fagan outlines the new sentencing guidelines for perverting the course of justice and witness intimidation - both effective from 1/10/2023; and guidelines in relation to dangerous driving and causing serious injury by dangerous driving - both effective from 1/7/2023.

View Article