



Courts and Tribunals Judiciary

Andrew Bridgen v Matt Hancock – QB-2022-001418

Introduction

1. Mr Bridgen brings a libel claim over something Mr Hancock tweeted out on 11th January 2023.
2. This judgment follows a short ‘preliminary issues’ hearing, and determines the ‘single natural and ordinary meaning’ of the tweet complained of, and whether it is an allegation of fact or an expression of opinion. These are important determinations for libel proceedings because, among other things, they affect the defences potentially available at a full liability trial. But they remain preliminary only: just a first step towards resolving whether Mr Hancock has or has not wronged Mr Bridgen as he claims.

Decision

46 The single natural and ordinary meaning of the publication complained of is as follows:

An unnamed MP had said something that morning related to vaccination which was baseless, unscientific, dangerous and offensive, including because its character was antisemitic.

47 The underlined words are an assertion of fact. The remainder is an expression of opinion.

48 There is no dispute between the parties that, in this meaning, the publication is ‘of defamatory tendency’ at common law, that is to say it *intrinsically* has a tendency

substantially to affect in an adverse manner the attitude of other people towards a claimant. I concur. To label speech as antisemitic is to label it as gravely offensive, falling well below the standards expected in our society; it means people would tend to think substantially less well of the speaker.

49 There is also no dispute between the parties that, to the extent the publication complained of constitutes an expression of opinion, for the purposes of section 3 of the Defamation Act 2013 both the first and the second conditions are fulfilled: the statement complained of indicated, whether in general or specific term, the basis of the opinion – that is, by way of its reference to what had been said ‘*by a sitting MP this morning*’. I agree with that.