



29 July 2026

S U M M A R Y

Bridgen v Hancock

[2026] EWCA Civ 991

Lady Justice King, Lord Justice Warby and Lady Justice Whipple

NOTE: This summary is provided to help in understanding the Court’s decision. It does not form part of the reasons for the decision. The full judgment of the Court is the only authoritative document. Paragraph numbers are references to the judgment. Judgments are public documents and are available at:

<https://caselaw.nationalarchives.gov.uk/>

1. The court allows an appeal by the defendant, Matt Hancock, against the decision of Mrs Justice Collins Rice (“the Judge”) that this claim for libel by Andrew Bridgen was not suitable for summary judgment but should go to a full trial. The court strikes out Mr Bridgen’s Reply and enters summary judgment for Mr Hancock. The leading judgment is given by Lord Justice Warby, with whom Lady Justices King and Whipple agree.

The facts

2. Mr Bridgen posted a tweet (“the Bridgen Tweet”) containing a link to an article about adverse events following Covid vaccinations; a screenshot of part of that article; and the statement: “As one consultant cardiologist said to me this is the biggest crime against humanity since the Holocaust.”
3. The Bridgen Tweet prompted criticism from MPs and public figures (“the Response Tweets”), including the Government’s adviser on antisemitism and the CEO of the Holocaust Educational Trust. These responses described the Bridgen Tweet as “disgraceful”, “despicable”, “incredibly offensive”, “wholly irresponsible”, and “appalling”.
4. Mr Hancock raised the matter at Prime Minister’s Questions. After that, he posted a tweet (“the Hancock Tweet”) containing a video of his intervention at PMQs and the

following statement: “The disgusting and dangerous anti-semitic, anti-vax, anti-scientific conspiracy theories spouted by a sitting MP this morning are unacceptable and have absolutely no place in our society.”

The claim

5. Mr Bridgen sued for libel in respect of the allegation of antisemitism. He alleged that readers would identify him as the unnamed “sitting MP” and that they would understand the Hancock Tweet to mean that he was an antisemite as a matter of fact. Mr Hancock maintained that the statement complained of was one of opinion, not fact. He relied on the defence of honest opinion provided for by section 3 of the Defamation Act 2013. This provides that it is defence to show that the statement complained of is (1) a statement of opinion which (2) indicates its basis, and (3) an honest person could hold on the basis of facts that existed at the time. The defence is defeated if the claimant shows that the defendant did not hold the opinion.
6. At a trial of preliminary issues it was determined that the Hancock Tweet was defamatory at common law; that it meant that “An unnamed MP had said something that morning related to vaccination which was baseless, unscientific, dangerous and offensive, including because its character was antisemitic”; that this was a statement of opinion, not fact; and that the tweet indicated the basis of the opinion.
7. Mr Hancock applied for summary judgment on the honest opinion defence. He said that the opinion was one that an honest person could hold on the basis of some uncontroversial facts about the Holocaust, the Covid pandemic and the vaccine rollout, and that Mr Bridgen had no real prospect of showing otherwise. Mr Bridgen said it was at least arguable that no honest person could believe his tweet was antisemitic in character, or in the alternative that Mr Hancock did not hold that opinion. Mr Hancock maintained that neither of those contentions had any real prospect of success and applied to strike out the Reply.

The Judge’s decision

8. The Judge dismissed Mr Hancock’s application, concluding that the honest opinion defence raised “highly evaluative” issues requiring further evidence and argument at a trial. She considered that evidence of how other commentators reacted to the Bridgen Tweet might be relevant; that Mr Bridgen was or might be entitled to rely on a letter from 26 Jewish Doctors (“the Doctors’ Letter”) stating that the Bridgen Tweet was not

antisemitic; that Mr Hancock's purposes might be relevant; that there was an overlap between the evidence relevant to the question of whether an honest person could hold the opinion and whether Mr Hancock held it; and that Mr Bridgen had a realistic prospect of proving that Mr Hancock did not hold the opinion, on the basis that it was a highly unreasonable opinion and he had improper motives.

The Court of Appeal's analysis

- 9.** The court holds that the issue of what an honest person could believe on the basis of given facts is one for the court to decide objectively, on the basis of argument and facts that are established or common knowledge. Evidence of the opinions held or expressed by others is inadmissible as a matter of principle and for case management reasons. The Judge's approach involved a misunderstanding of the argument advanced on behalf of Mr Hancock, who had relied on the Response Tweets, but for a different purpose. The Doctors' Letter was inadmissible for these reasons and because it was non-expert opinion on a matter that was for the court to decide. The defendant's purposes or motives were irrelevant at this stage. There was no need to receive further evidence or argument before concluding that an honest person could hold the opinion expressed. There was no realistic prospect of any other finding at a trial.
- 10.** The court notes that an allegation that the defendant did not hold the opinion he expressed is akin to an allegation of fraud, to which a heightened standard applies, requiring the party who makes such an allegation to plead and prove that there is a probability of dishonesty. This was common ground on the appeal. The court concludes that this heightened standard was not identified in argument before the Judge and was not applied by her. She applied a lower standard. The court considers but rejects Mr Bridgen's arguments that his case met or might meet the heightened standard. It concludes that he has no realistic prospect of establishing that the standard is met.