



JUDICIARY OF
ENGLAND AND WALES

25 March 2021

SUMMARY

John Christopher Depp II v News Group Newspapers and Dan Wootton
A2/2020/2034

Court of Appeal (Civil Division)
Lord Justice Underhill
Lord Justice Dingemans

Following a hearing last week, the Court of Appeal (Lord Justice Underhill and Lord Justice Dingemans) has refused permission to Johnny Depp to appeal against the dismissal of his claim for libel against News Group Newspapers and one of its journalists. The claim was based on a story in The Sun alleging that he had beaten his former wife, Amber Heard. After a three-week trial in the High Court last year, in which both Mr Depp and Ms Heard gave evidence, Mr Justice Nicol found that the allegation was true.

The Court in its judgment emphasised that an appeal against the decision of a trial judge on questions of disputed fact faced serious difficulties: see para. 8 of its judgment – and that none of the criticisms of the Judge’s reasoning or conclusion advanced on behalf of Mr Depp had a real prospect of success. The principal criticisms are considered at paras. 10-22 of the judgment. The Court said, at para. 50:

“The hearing before Nicol J was full and fair, and he gave thorough reasons for his conclusions which have not been shown even arguably to be vitiated by any error of approach or mistake of law.”

In support of the application for permission to appeal Mr Depp sought to rely on further evidence showing that Ms Heard has not yet given away most of the \$7m, received in her divorce settlement from Mr Depp, which she had said that she was donating to charity. The Court of Appeal makes no finding about whether her statements about her donations were misleading. It notes that that was not a question which was raised with her by Mr Depp’s lawyers at the trial (see para. 49 of the judgment) and that there was no reason to believe that the Judge’s decision was influenced by what she had said about the donations (paras. 44-45).

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. Judgments are public documents and are available at:
<https://bailii.org/>.

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