

The Leveson Inquiry

Witness Statement of Martin Clarke

1. My full name is Martin Peter Clarke. I have been in charge of Mail Online editorial since 2006. I was appointed Publisher in 2010.
2. I refer to my witness statement dated 1st March 2012 which provided the Inquiry with details of my career as a journalist, and my roles as an editor and publisher of Mail online.
3. The purpose of this witness statement is to respond to the S.21 Notice dated 2nd July 2012.
4. I am referred by the Inquiry to the following submission of Lord Black in his Third Witness Statement to the Inquiry and I address the Inquiry's questions below:

"Responses to the industry consultation from within an extremely diverse set of businesses have inevitably been varied. Parts of the industry – particularly the regional and periodical press – have been understandably anxious about such substantial change, especially when the current system works well for them (as the Inquiry has heard) and above all for their readers. They have rightly been worried about the potential increase in costs and bureaucracy of a new system. But at the other end of the spectrum, some national publishers have argued for even tougher controls. At the end of the day, therefore, this proposal seeks so far as possible to balance these views. But there is no doubt to me that the vast majority of the industry sees them as credible, likely to prove effective and that they will take part. Northern and Shell has indicated that it is willing to participate, subject to detailed contract terms."

"Question (2) To what extent were you personally involved in drawing up this proposal for a new system of self-regulation based on contractual obligations, as now set out by Lord Black?"
5. I have not been involved in drawing up the new proposals for self-regulation. As Publisher of Mail Online, I now spend at least two weeks every month in our New York office and it has not been feasible for me to engage in detail with these proposals. I am of course aware of the nature of the scheme and the contractual arrangements in very

general terms. I was not present at the meeting on 15 December 2011 at which Lord Hunt presented his concept to members of the Industry.

“Question (3) How far would you personally, in your capacity as editor, expect to be involved in the final decision as to whether your publication signed up to the contractual obligations envisaged by this system? Please explain in full how that decision would be taken.

6. As Publisher of Mail Online, the Editor-in-Chief of Associated Newspapers Limited will discuss key matters with me, such as regulatory issues. The final decision whether or not to subscribe to a new system of regulation would rest with Paul Dacre, in consultation with the Company's senior editors and executives.

“Question (4) In so far as you are able to do so, please indicate whether your publication is at present fully ready and committed to enter into these contractual obligations. If it is not at present fully ready and committed, please explain why, and detail any changes that would need to be made to the proposal, any further development to proposal required, or any preparatory steps that would need to be taken at your publication, in order to put it in the position of being fully ready and committed to enter into these obligations. If there are no circumstances in which it would be prepared to enter into obligations of this nature, please explain why not.”

7. I refer to the answer provided by Paul Dacre in his Witness statement on the proposals which confirms that Associated Newspapers support the proposals advanced by Lord Hunt and that we will subscribe to the new system of self-regulation proposed, including the contractual framework which is envisaged.

“Question (5) What specific differences would membership of a system of the kind set out by Lord Black, underpinned by contractual obligations, make to the culture, practices and ethics of your publication?”

8. I refer to and agree with the answer provided by the witness statement of Paul Dacre.
9. I would add that I have explained in my evidence to the Inquiry the tensions created for global Online news websites based in the UK which abide by the Code of Practice and the law in this jurisdiction, when competing with global US English speaking websites where there is no regulation and they enjoy Constitutional freedoms which are not available to us. We continue to take legal advice on these issues and to observe the Code of Practice. It is important to recognise that in reporting the lives of US citizens, living in the US, we are able as a matter of law to take account of the very different expectations and cultural tolerances which prevail when weighing up respective rights of freedom of expression and privacy rights.

"Question 6 Is there any other comment you wish to make on the proposal put forward by Lord Black, or on the proposals put forward by others, that are now published on the Inquiry website?"

10. Thank you, no. Any further comments will be addressed through our final submissions.

Signed

Dated: 15/7/12