

The Leveson Inquiry

Witness Statement for Part 1, Module 1

Witness Statement of Mary-Ellen Field

I, Mary-Ellen Field c/o Collyer Bristow LLP, 4 Bedford Row, London, WC1R 4DF will say as follows:

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1. I make this statement in connection with my role as a Core Participant in the Leveson Inquiry.
2. I am a Claimant in the voicemail interception cases currently being heard by Mr Justice Vos in the Chancery Division of the High Court
3. Save where the contrary appears, I make this witness statement from facts within my own knowledge and belief and which I believe to be true. There is now produced and shown to me marked "MEF1" a small paginated bundle of documents. Where I refer to page numbers in this statement, I am referring to pages in "MEF1".

Background

4. I was born and educated in Australia. I have a degree in Fine Art and began my working life teaching History of Art.
5. I am married and have 2 children. My eldest son was suffered brain damage during surgery in his first year and requires constant care. He is now 30.
6. By virtue of my husband's career, we moved to the UK in 1989. Before moving to the UK I had started working in the area of sponsorship and licensing, initially in a business in which my husband was involved.
7. When I moved to the UK I continued in sponsorship and licensing as a Certified Licensing Professional and developed a particular expertise in the protection management and exploitation of intellectual property rights.
8. I am currently a consultant at Brand Finance Plc, a brand valuation

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consultancy. I have been involved with this business before, in various different forms, and I am currently rebuilding my workload of expert witness and advisory work.

9. During the period most relevant to this witness statement I worked for an accountancy and tax advisory firm called Chiltern as Head of Intellectual Property and Creative Services. I was headhunted by Chiltern in January 2003. Chiltern no longer exists having been bought by BDO Stoy Hayward in 2008.

Elle Macpherson

10. The clients I brought with me to Chiltern were not celebrities. Most of my work had been for corporate entities and my most significant client at the time was the United States Treasury Internal Revenue Service (IRS) to whom I was retained in relation to its multi billion dollar dispute with GlaxoSmithKline.
11. Elle Macpherson was a client of Chiltern before I joined. The private client partner who had advised her in the past asked me for my input and I reviewed a number of contracts on her behalf.

12. I met Elle in April 2003 and at the very first meeting she stated that she wished for me to work with her as her advisor. We hit it off. From the very start Elle's work was extremely time-consuming but it was tremendous fun. I should stress that although we did a great deal of work together and were in constant contact, Elle was not my most valuable client in terms of billing; the amount of time I dedicated to her was certainly disproportionate to its financial value. Where she did add value was in PR terms and Chiltern were delighted at the relationship that I built up with Elle and the opportunities it provided.
13. Over the course of the next two and a half years Elle would use me as an advisor on a huge array of matters and confided in me and sought my advice in relation to business and personal issues. She also very much enjoyed getting more involved in her business deals and being portrayed as a successful businesswoman, rather

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than simply a model. In 2004 she and I were doing presentations together at conferences such as INTA in San Diego demonstrating our work and Elle's success.

14. The new deals that I negotiated became extremely lucrative for Elle and she was delighted with the results I achieved on her behalf. The working relationship was so close that I arranged, at her request, for her to have an office in Chiltern's building – something my Chiltern Partners (particularly the male Partners) were more than happy to arrange.
15. We would speak on the telephone a great deal and inevitably leave each other voicemails when we could not reach each other directly by phone.
16. I attach to this witness statement at pages 1 to 3 of MEF1 an Accountancy Age Best Practice magazine the cover article from September 2005 which profiles me and in which Elle gives her account of working with me and my importance to her businesses. In Elle's account she states that she and I would sometimes seek updates from each other four times a day. I also attach some handwritten notes from Elle in which she thanks me for my work.

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Press leaks

17. Throughout my time working with Elle, articles would appear in UK newspapers, generally in connection with relatively trivial matters but sometimes in relation to sensitive aspects of her private life. In

18. During 2005 Elle separated from her boyfriend and the father of her two children; the financier Arpad (Arki) Busson. Articles were being published on this subject and I became aware that Elle's PR office was being contacted regularly by journalists to respond to various allegations that newspapers intended to run. Elle was extremely concerned that someone close to her was leaking stories.
19. Elle discussed her concerns with me, given that I had sought to ensure that all of those working with her were on strict confidentiality agreements. Although we had no idea about "hacking" into telephone voicemails we were concerned that some form of interception was taking place and I arranged for a security

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- company to "sweep" Elle's house, car and office to see whether any device was being used to listen-in to private communications. The "sweep" produced no results.
20. One particular story concerned the issue of who was to have custody of Elle and Arki's children. Elle and I had discussed this issue together and with her family lawyer Jane Simpson a partner at Manches.
 21. It is this story, and the build-up of a number of stories about Elle's activities and private life that led to the breakdown in my relationship with her and the termination of my contract with Chiltern. I was blamed and punished for being wrongly identified as the leak of these stories.
 22. Everything came to a head in the build-up to a meeting that had arranged between me and the International Herald Tribune Fashion Editor Suzy Menkes. I should state that my role for Elle did not involve a great deal of contact with journalists and this meeting came about following Ms Menkes attendance at Elle's launch of "The Body" collection in October 2005 at the Wallace Collection in Manchester Square. At this event Ms Menkes asked Elle if she would be interested in speaking at the International Herald Tribune's Luxury Conference in Dubai in December 05. Elle said that she would and asked me to meet Ms Menkes the following week to organise it. She advised Ms Menkes that I would come to Dubai with her. My PA organised for me to have afternoon tea with Ms Menkes at the Dorchester.
 23. Two days before the meeting with Ms Menkes I was telephoned by Elle's lawyer Alex Carter-Silk (with whom I had worked closely for some time and had introduced to Elle) and told that I was not to speak to the media about Elle and should not attend the meeting with Ms Menkes. I was furious at receiving this edict from Alex and immediately called Elle. In my call with Elle she told me that she could not trust me with the press. Whilst up to this point we had had such a friendly working relationship, during this call she was very abrupt and off-hand with me.
 24. Although I was extremely concerned about what was being suggested by Elle and Alex, I was extremely busy with work at the time (assisting in the preparation of questions for urgent depositions for the IRS) and had to focus upon that. I thought that

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the situation would be resolved.

25. I had assumed that the meeting with Suzy Menkes had been dealt with by Elle or Alex but my PA was called by Suzy Menkes' PA on the afternoon of the meeting asking why I was not there. I was extremely embarrassed that I was made to appear rude and incompetent.
26. Shortly after this, a meeting appeared in my electronic diary to meet with Elle and Alex at Alex's firm Manches on Thursday 24th November 2005. Although I was still very much engulfed with other work I was concerned to know what this meeting was about, given that I had not been consulted about it or the arrangements. On Monday 21st November 2005, at a meeting with trade mark counsel for Allied Domecq Tatiana Whytelord who had been a client of mine for several years and two of her colleagues I invited Alex. Tatiana said that they might be appointing some external lawyers for a particular project and I thought it was an opportunity for Alex who I believed was a friend. However he was extremely confrontational and embarrassed me in front of these clients. I was shocked and concerned by the hostility that was being shown to me by Elle's lawyer. Alex left the meeting abruptly, the rest of us went to dinner at Pizza Express. When I arrived home, my husband, Bruce Westwood was very upset. He told me that Alex had called earlier that day and told him that Elle was going to fire me because I had been "leaking" stories to the media and being indiscreet about her affairs. He also told my husband that I was an alcoholic and that if I didn't agree to do what Chiltern and Elle proposed I would be fired on the spot and never be able to work again. He insisted that my husband attend the meeting. No sooner had my husband told me this than Tatiana called me and said that Alex had called her on her mobile, after we had left Pizza Express and repeated the same allegations to her.
27. The following day I arranged for a meeting with the CEO of Chiltern, Matthew Wickers who was my line manager to discuss the position with him. He told me that Elle had made a complaint about me and that I should attend the meeting at Manches.
28. I did attend the meeting at Manches at 10.am on 24th November 2005 although I deeply regret doing so. Elle was there and asked to speak to me alone. In my meeting with her she told me that she

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"knew" I was an alcoholic and that she had concluded that it must be because I felt guilty of being the mother of a handicapped son and that, although she knew I had not meant to do it, I had leaked whilst I was drunk. She kept putting her arms around me and telling me that it wasn't my fault and that she, Chiltern and Alex were all going to pitch in and help me "get treatment" for my alcoholism. I remember the meeting very clearly because I was so appalled by what I had heard. After thirty minutes of listening to what I knew to be totally unfounded allegations I asked to see my husband. My husband came in followed by Matthew Wickers my CEO, Fiona Hotston Moore my colleague and Alex. The allegations were repeated in front of these people. My husband was furious. The meeting was concluded by the instruction that I should attend "the Meadows" rehabilitation centre in Arizona. I was not an alcoholic nor had I leaked any private information to the press however I was told that if I did not go to the Meadows, Elle was no longer prepared to remain as my client and I would be fired by Chiltern.

29. I was extremely upset and totally confused as was my husband. I said I would think about it and actually went back to work as I had several meetings planned that day. That night I called my oldest friends in Sydney, The Hon Phillip Ruddock MP who at that time was the Australian Attorney General and his wife Heather who is also a lawyer. They advised me that I should resign immediately and under no circumstances should I do what I had been told to do. The following day around five pm Elle came to see me and we went outside and sat in her car. She spent the next hour telling me that she loved me and that she was only trying to help me and that when I returned we would go to AA every day together. She said that after what I had done, talking to the press about her private affairs she should just fire me but she knew I hadn't meant to. I was totally exhausted and defeated by the situation.
30. I reluctantly attended the Meadows clinic from, 28 November until the 31st December 2005. I had no wish to attend nor did I need any treatment, the doctors there agreed that I was not an alcoholic. I was also extremely concerned at the stigma of attending "rehab", particularly as a professional person in London. It was a terrible experience; I was required to sleep in a dormitory with strangers

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and was constantly questioned and psychoanalysed in connection with an addiction I did not have. I wanted to be back at work and was concerned (rightly as it happened) that my clients were being poached in my absence.

31. I returned to London on 6 January 2006 and texted Elle to say that I was back. She called me on 9 January 2006 to tell me that I was no longer representing her due to my being indiscreet about her affairs and being ungrateful for the help she had given me. It was a very short call. I asked whether she had considered the effects on me of what she had done, she said that she had and that I "must feel terrible." I immediately walked over to Fiona Hotston Moore's desk and told her what had happened. She seemed visibly shocked. We both called Matthew Wickers and told him. He also seemed completely shocked. However the following week it was made clear to me that my position at Chiltern was in jeopardy. I was extremely stressed and upset that my dream job was unfairly coming to an end and my reputation and integrity was compromised.
32. At the end of January 2006 I became sick and was signed off work. I kept falling over for seemingly no reason. Although my condition was not diagnosed for some time it was eventually identified as vasovagal syncope, a neurocardiological condition. I required surgery and had a pacemaker fitted in June 2009.
33. On 10th March 2006 I was fired by Chiltern in what was described as a redundancy situation. There is no doubt in my mind that the termination of my contract with Chiltern came as a direct result of the allegations made by Elle.
34. Whilst I did obtain some compensation for the termination of my contract with Chiltern (much of which I had to pay to my lawyers), the simple fact is that I went from being a successful and well respected professional, to a nobody; from having a substantial income to almost nothing.

Phone hacking

35. In early March 2006 (just before I had ceased working for her/Chiltern) I received a call-out-of-the-blue from Elle asking me who the security people were who checked her house, office and car. Elle did not explain why she wanted this information – however I provided it to her. It occurs to me now that it is likely

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that she needed that information following contact from the police in relation to phone hacking, having arrested Mulcaire. I know now that Clive Goodman's column in the NoW was cancelled the previous week.

36. In August 2006 it was announced on the Radio 4 news that Mulcaire and Goodman had been arrested for phone hacking and that Elle was one of the victims. Several of my friends called and asked if I'd heard the report. I read reports listing Elle as one of the victims of hacking and it became clear to me that these interceptions were the source of the leaks of Elle's information. My immediate reaction was that my position would be vindicated and I could start to rebuild my reputation. A few days later I called the police at a number I found on their website. The operator would not put me through to anyone. I texted Elle and emailed my former employer, neither responded. I then wrote to Commissioner Blair which I attach to the statement. I received no response.

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37. On 26 January 2007 Mulcaire and Goodman were jailed for phone hacking by accessing voicemail accounts.

38. I attach to this statement a letter I wrote to the Commissioner of the Metropolitan Police Sir Ian Blair following further repeated attempts to speak to someone at the police. I received no response whatsoever to this letter, nor to other calls I made to the police. I was furious that I seemed to be disregarded even though I was clearly a victim of what had happened and that my opportunity to repair the damage that had been done to me would be lost. It appeared to me that because I was not a celebrity, the police were not interested in me. I was not important enough to qualify as a "victim". I lost all faith with the British justice system.

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39. As my letter testified, since leaving Chiltern I had become increasingly ill and had not been able to get a new job. By mid 2008 my financial and physical health were in a very bad state.

40. Since January 2007 I have known that I was a victim of the activities of Glenn Mulcaire and the News of the World. Only in 2011 having launched my civil action and following Operation Weeting do I now consider that my situation is being taken seriously. Even though my voicemail may not have been hacked (it may have been, however I have not seen any record of this), the hacking of Elle's phone led to my life being ruined over the last 5

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years because I was wrongly punished and ostracised for being the source of the disclosures. It is an extremely unpleasant position to feel that a wrong has been committed but that the business responsible is so powerful that nothing will be done – particularly for a "normal" person like me. In my view it is only thanks to the journalistic efforts of Nick Davies and the Guardian and other journalists that I have stood any chance of getting justice.

- 41. Another important feature of my experiences is that I did not have enough resources to commence a legal claim myself. It was only because of the availability of a Conditional Fee Agreement that I was able to seek redress from News Group Newspapers Limited. Without the benefit of solicitors who were prepared to act on this basis, the injustice would be continuing. Access to justice is critical for everyone no matter what their financial situation.
- 42. I have written to the Prime-Minister in relation to this matter and attach the correspondence. As an active Conservative Party member and office bearer I have been extremely concerned at the party's approach to this issue and for so long denying the extent of the scandal and continuing to work so closely with News Corp and its subsidiaries and employees.
- 43. Because of my Australian roots and the many friends I have in Australia, and because Mr Murdoch is Australian, this story and my involvement have made big news in Australia and I have given interviews to various TV and radio stations. I am anxious that the full truth about the unlawful activities of News Corps' subsidiaries becomes known and that steps are taken to make sure that it never happens again.

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I believe the facts in this witness statement are true.

Signed:

Mary-Ellen

Dated: 26.10.2011