

**SUBMISSION OF MARY-ELLEN FIELD
TO THE LEVESON INQUIRY MODULE IV**

I am Mary-Ellen Field, I make this submission as a Core Participant to Module IV of the Leveson Inquiry. I am also a Claimant in the voicemail interception cases currently being heard by Mr Justice Vos in the Chancery Division of the High Court. I am a Core Participant Victim of Modules I and II and testified on the second day of the Leveson Inquiry on 22nd November 2011.

I make this submission as an ordinary member of the public who had my career and health seriously damaged by the admitted illegal activities of employees of News Group Newspapers. I am most definitely not a victim of the freedom of the press that we enjoy in this country. What is apparent however is that changes have to be made in how the press is regulated and that newspaper groups must not be allowed to opt out. There have been too many instances of unacceptable behaviour. I believe the necessary change is achievable without losing any of the vibrancy and effectiveness of our press. It would be very helpful in this matter if our politicians could speak with one voice for a change. None of them have clean hands in relation to the phone hacking scandal. The press belongs to the readers and the wider public, not to the politicians or any other single interest group.

Throughout the course of the Inquiry I have become increasingly concerned that a powerful and noisy group of people and organisations seek for their own purposes to derail the Inquiry by claiming that we victims, and Lord Justice Leveson himself seek to curtail freedom of the press in this country. I am proof of how valuable our free press is to individuals who do not have the means to challenge both the abuse of power and criminal activities of a large organisation. I and the other victims were let down by all the organisations who in a democracy are supposed to protect us. Ultimately, we were not let down by journalists both here and abroad.

I would also like to make the point that since I gave the first interview to the Guardian on 12 July 2009, I have not been subjected to any unpleasant, unfavourable or untrue reporting by any journalist or media group anywhere. Where there have been small inaccuracies I have asked for corrections which where possible have been corrected immediately on related websites. The only unpleasant experience I have had was when I was asked an extremely sexist and insulting question the week I testified. I got very upset and it was not mentioned in the otherwise excellent piece that was published. All the journalists I have encountered throughout this difficult time including those employed by News International have treated me with great kindness and consideration.

I began my professional life as a secondary teacher of History and Practice of Art in Sydney Australia in 1970. In the mid eighties after the birth of my children I changed careers and began a career in licensing. I developed a successful career in the UK and internationally in the management, protection and exploitation of intellectual property rights and am regularly retained as an expert witness in cases related to intellectual property rights. I have been retained as an expert witness in several landmark cases. I was an expert witness for the Internal Revenue Service (USA) between 2000 and 2006 for the largest tax dispute in history. I lecture and write frequently on intellectual property issues.

Prior to my involvement with the phone hacking scandal, I'd had little contact with the press. Since the mid 90s I have made and continue to make appearances on television networks and radio stations doing commentary on branding and reputation issues but this seldom involves meeting journalists. I am however what might be called a news junkie, I have always read several newspapers each day and now via my iPad read even more including international titles.

Since childhood I have been involved in politics at a voluntary grass roots level. I have never sought election to office. I am Deputy Chairman of Putney Heath Conservatives and a long time member of the Carlton Club. Much of the hostile comment I have seen about the voicemail interception cases and the Leveson Inquiry relates to claims this is some sort of left wing attack on capitalism, the Conservative Party and freedom of the press that must be vigorously defended. Clearly, I do not fit into this category and that rather ruins their loud and aggressive argument, and in any event these noisy and often offensive claims are without merit.

I was not the target of anyone at News Group Newspapers in my own right, I am sure they had never heard of me. I became a victim because of the celebrity of one of my clients. Until I joined Chiltern plc in early 2003 I had never had a celebrity client before, most of my clients had been large corporations, governments and charities. I was the collateral damage resulting from the illegal activities of employees of News Group Newspapers. I am an ordinary member of the public who has never sought publicity nor received any, except for television and radio interviews that were work related, I had never given an interview about anything of a personal nature and nothing of a personal nature had ever been written about me.

Until the accusations of leaking information to the press were made against me in November 2005 I had built very successful career in the UK and internationally. I don't think it arrogant to say that given my background and circumstances I ought to have been

able to get some help once it became clear that I was possibly a victim of phone hacking in August 2006. The fact is that our democratic system almost failed me. My former employer failed me, the police failed me, the Crown Prosecution Service failed me, the legal system failed me, and our politicians and my own political party failed me and continue to do so much to my annoyance and disappointment.

The only parts of the system that worked for me were the press and the broadcast media. The Guardian, The New York Times, The BBC, the Australian Broadcasting Corporation, The Independent on Sunday, The Independent, the Evening Standard and Sky News gave me a voice. The Metropolitan Police Service ignored my letters and phone calls from August 2006 until they had no alternative but to take notice. When they finally contacted me in mid January 2011, the first detective was impolite and insulting, the second was much nicer but nothing happened. The tone of voice in the letters from the Crown Prosecution Service when they finally bothered to respond was dismissive and insulting. One particular letter from the CPS reduced me to tears.

I have spent a great deal of time thinking about the problem that if it was so difficult for me to get my voice heard by those in power who are supposed to protect us how difficult must it be for someone without my background and contacts. I was a victim of crime yet those tasked with helping victims of crime did nothing at all for me, they wouldn't even respond to me.

One day at the Leveson Inquiry Lord Prescott said to me that I shouldn't feel bad that no-one would respond to me, because he'd been the Deputy Prime Minister and that the same people I'd written to hadn't responded to his letters or direct questions either. It brought home to me that it wasn't simply because I was a nobody that I'd been ignored, there was a massive conspiracy by those we should be able to trust to cover up all that had happened and that those responsible for this had absolutely no concern at all for the victims. The press must be free to expose things that are wrong in our society.

I have spoken many times in the last eighteen months about the fact that it was journalists who saved me and therefore I could not support any actions that would limit journalists' ability to hold the powerful to account, to expose cover-ups and conspiracies, to inform the public, to give the ordinary citizen a voice and to do the job a properly functioning democracy relies on them to do. That is, to protect us from the excesses of power no matter who exercises that power.

Not one of the victims who testified at the Leveson Inquiry nor indeed Lord Justice Leveson himself has ever suggested that the freedom of the press should be curtailed or restricted. We need to have a system in place where everyone's voice can be heard if he

or she chooses or needs to be heard. Such a system also needs to speak for and protect the vulnerable in our country. It must also protect those who do not wish to be heard. Currently, as Chris Jeffries found out there is no protection at all if the press decides you are guilty. In those circumstances the subject loses all his human rights. This must change.

I have become increasingly annoyed by those, most of whom seem to come from my own political party who have wrongly claimed that we victims and Lord Justice Leveson himself have called for a curtailment of freedom of the press. Michael Gove in particular caused me great distress. To use the word "offended" when referring to victims like me is appalling. It is irrelevant whether the victim was someone known to the public or was unknown. It was so insensitive and insulting and made all the worse by the fact that Mr Gove was formerly employed by the News International whose employees destroyed my career and health. Mr Gove obviously has an agenda in which victims of press intrusion, legal or otherwise are completely irrelevant.

I wrote to Mr Gove about this some time ago but he did not respond, indeed none of Conservative Party MPs I have written to about this matter have ever responded to me except my own MP. These people should look at the victim's testimony and witness statements from the first few weeks of the Inquiry.

It is clear that the system has often not worked as it should and that some in the industry felt the PCC was their own personal plaything and that everyone in the country was fair game as long as they could make money from them. The status quo is not an option. The PCC has failed spectacularly, it has suffered from incompetent and partisan leadership for a long time, it has been too easily bullied and unwilling to listen to anyone who dared challenge it.

I do not intend to detail how I think the new structure should look. I am not qualified to do so. However I would like to make the following points.

1. Statutory control:

I have heard and read much debate about this. I am very uncomfortable about giving politicians statutory power of the over the press. No matter how seemingly supportive of freedom of the press and freedom of information politicians say they are, almost as soon as they are in power they change their minds. It doesn't matter what party they belong to, gaining power causes an immediate and urgent need to cover things up and prevent their constituents from accessing anything. Tony Blair said recently that he regretted introducing Freedom of Information legislation.

Furthermore one can never be sure who will gain power and my experience with politicians over all these years is that once something is on the statute books they will never remove it no matter what they say when in opposition. I have however been assured that it would be possible to have a level of statutory backing for a new regulator in which there would be no undue influence and the independence of the press enshrined.

2. Self regulation should have worked but it hasn't so we have to find some sort of regulation that has teeth but stops short of statutory control. It must be inclusive; no one must be able to opt out.

3. Conscience clause:

I believe that all journalists should have a conscience clause in their employment contracts. I appreciate that this is difficult when there are so many freelance journalists but I am confident that a way can be found to deal with this.

4. Whistle blowers:

A structure must be put in place to protect whistle blowers whether or not they belong to a union. The concept that you can safely and effectively whistle blow within the organisation that employs you is patently ridiculous. There are many ways that this could be facilitated

5. Makeup of the successor to the PCC

I believe that a major flaw in the PCC was in its makeup. Too many organisations like the PCC in this country, perhaps most countries are made up of political favourites, quango sitters, those who were unable to separate their own interests from those of the people the PCC was supposed to serve. Worse, people are chosen who are guaranteed not to rock the boat, similar to the thought processes involved in selecting Non Executive Directors for public companies.

Too often it seems, the PCC was only interested in protecting the newspapers, never the victims of the excesses of the press. I have been asked why I didn't complain to the PCC. I didn't know I could have but in any event the PCC attempted to defend itself about its lack of action about phone hacking saying the police told them there was nothing to the phone hacking allegations. I would have been wasting my time and in any event I was a victim of crime so the PCC would have been useless. I am amazed that given the appalling record of the PCC that Lord Black believes he is the right person to lead the successor body.

I believe that the successor to the PCC should include lay people who represent newspaper readers. It should not include current editors. It could include former editors and journalists. I am also uncomfortable about lawyers actually being members of the PCC. I mean no disrespect to lawyers, but people behave differently when lawyers are in the room and free discussion is stifled. Lawyers by training are inclined to tell you what you can't do. Obviously lawyers need to be consulted but they should not be part of the discussion and decision making process. Frankly people like me would do a much better job.

6. Apologies

If a newspaper is forced to apologise then the apology must be commensurate with the transgression. If the offending article was on the front page, the apology must be on the front page

Finally I am well aware of the difficulties newspapers are facing with the competition from the Internet. However this must not be used as an excuse for doing nothing.