

Z 3814 G

NETHERLANDS

Z 3814/1051/29G

prs. G. Jonkel

J/B NO. 473.

Dated 16th may. Rec'd 2000 may

Last Paper

Z3738.

References

Z2438 1051 29G

(Print)

(How disposed of)

(Action completed)

N14 7

(Index)

Next Paper

Request for further information amsterdam. regarding the case of arton van det WAALS Dutch collaborator.

(Minutes)

Mr. Jonker is the Dutch lawyer who was briefed to defend Antonius van der Waals in his appeal against the death sentence. He wrote to the Embassy at The Hague (see) and asked for information which could be used to support a plea of mitigation on van der Waals' behalf. We replied (see):

- (a) that van der Waals had been employed by us as a double agent after the liberation of Holland,
- (b) that we did not believe that van der Waals thought that Shreieder, the Head of the German S.S. in Holland, had ever been a British agent.
- 2. Mr. Jonker has now replied that he is convinced that van der Waals was a dupe, that Schreieder was in fact a British agent and that he intends to fight the case to the bitter end.
- 3. It is fairly clear that Jonker sees himself in the somewhat romatic role of fearless and high-minded the somewhat romatic role of fearless and high-minded advocate, determined to see justice done, come what may. He is prepared to fight against the obscurantism of the Dutch Government and the wiles of the "British Secret Service" and he will not shrink from tearing the veil from the most sacred mysteries. He is self-consciously Duth and obstinate. Although he sees his client as a weak-minded man who was seduced by the dubious fascination of the "Secret Service" he has nevertheless swallowed a large dose of it himself. nevertheless swallowed a large dose of it himself. He has an eye for the drama and tragedy of war and believes that incidents such as the Dieppe Raid, involving the deliberate sacrifice of lives for the sake of an unspecified advantage elsewhere, are, if not commonplace, at least fairly frequent and certainly justifiable.

4. Jonker does not say how he intends to carry out his plans to establish the purity of van der Waals' intentions. He does not seem to be concerned with the fact that his client's acts were those of a traitor.

Van der Waal's appeal has been heard and the death sentence has been upheld; the final decision will be announced on June 8th. It does not seem, therefore, that Jonker will have another chance of defending him in an open court. It is possible, therefore, that he may join the ranks of the pamphleteers such as van der Starp and van der Graaf (Noel de Gaulle).

5. Jonker does not adhere to van der Starp's theory that the Englandspiel was a plot to eliminate Dutch patriots. However, he finds it necessary to have a comprehensive theory of some sort and the only hypothesis with which the facts, as he knows them, can be reconciled is that Schreieder was a double agent who was working for us. Scheieder's potentialities could not have been realised unless the Germans had good reason to trust him. In order, therefore, to establish his reputation with the Germans we perpetrated the Englandspiel betrayals. Jonker is not apparently moved to moral indignation by this - which reflects his Kiplingesque conception of the ethics of an Intelligence Service in war. He is merely concerned, in the interests of abstract justice, to see the truth revealed.

6. We have, of course, denied that Schreieder was working for the British Intelligence Service. Jonker does not believe this, although his evidence for believing the contrary is very slender, and seems to hinge on the following points:-

- (a) Schreieder had the semi-privileged position of a barber in a prisoner-of-war camp and once spent an inordinate amount of time cutting van der Waals' hair. The suggestion is that Schreieder had been imprisoned merely to hoodwink the Dutch, and that we encouraged his contact with van der Waals even at that late date.
- (b) Van der Waals was put in touch with Schreieder by Verhagen, apparently a British agent. (Who is Verhagen? Is it possible that Jonker suspects that he is one of the Binghams? Who is Mr. Bess?)
- (c) Schreieder, who is really responsible for the betrsyals, was released from custody and evidence which could have convicted him was wilfully suppressed. The suggestion is that Schreieder was released at the behest of the British Government because he was in fact a British agent, and that van der Waals has been made the scapegoat, firstly in order to silence him and secondly to satisfy the Dutch demand for vengennce.

7. It seems likely that Jonker will pursue his enquiries along these lines and that if he starts publicity campaign his main aim will be to develop the argument that Schreieder had been a British agent. If there is no truth in the suggestion that Schreieder was a double agent working for us, then whatever fresh "facts" Jonker might produce cannot affect us very profoundly. However, there remains the "element of oblique collusion" which Admiral Godfrey mentioned in his letter to Sir Hartley Shawcross (see Z 2739/G). The object of using double sgents, as described by Admiral Godfrey, is similar to that described by Jonker, namely to obtain access to the secret councils of the enemy. If Admiral Godfrey was referring to

Schreieder, and if Jonker contrives to unearth evidence to support this hypothesis we might find ourselves in an awkward position.

8. It might be as well to mention here that we have given Mr. Danker, the Chairman of the Dutch Parliamentary Commission of Enquiry, a precis of Lord Selborne's report on the penetration of S.C.E. operations in the Netherlands, and that Mr. Danker is strongly inclined to the view that the Englandspiel allegations are groundless. A recent Dutch press report (see Z 3711) stated that the Commission had found independent evidence which exonerates H.M.G. From the point of view of Dutch public opinion it is most important that the Commission should retain an attitude favourable to us. If, as a result of their investigations, the Commission found that there was any basis for the allegations of treachery on our part, our prestige in the Netherlands would suffer a severe setback, as it is most unlikely that the majority of Dutchmen would share Jonker's philosophic detachment. We have, up to the present, made a point of taking the Commission into our confidence and, as a result, our confidence has been reciprocated in the most gratifying manner. If Jonker were now to produce convincing evidence that Schreieder had wittingly or unwittingly worked for us, that basis of mutual con-fidence would be destroyed, with results which might even adversely affect Western Union defence plans. While, therefore, I have no positive reason for thinking that there may be aspects of Schreieder's activities which have not yet been disclosed, I think it is essential to make absolutely certain, as soon as possible whether or not Admiral Godfrey's remarks apply to Schreiedr If this is indeed the case, then we should consider telling the Commission.

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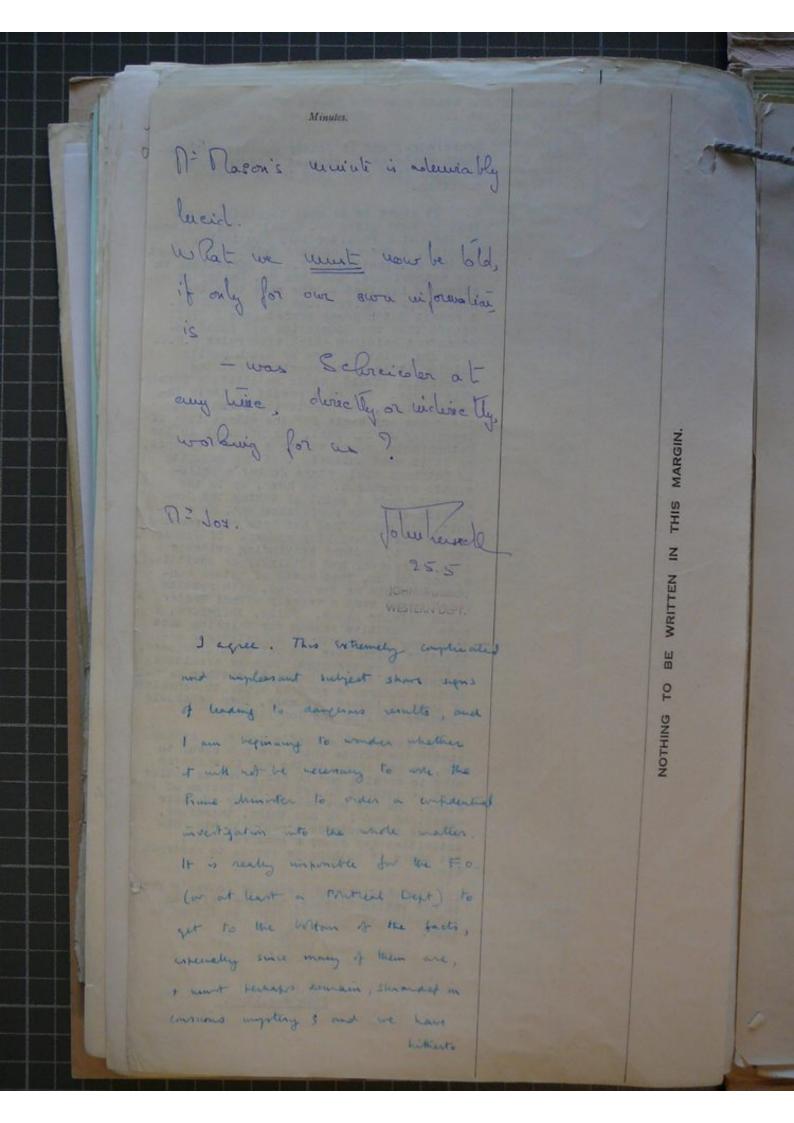
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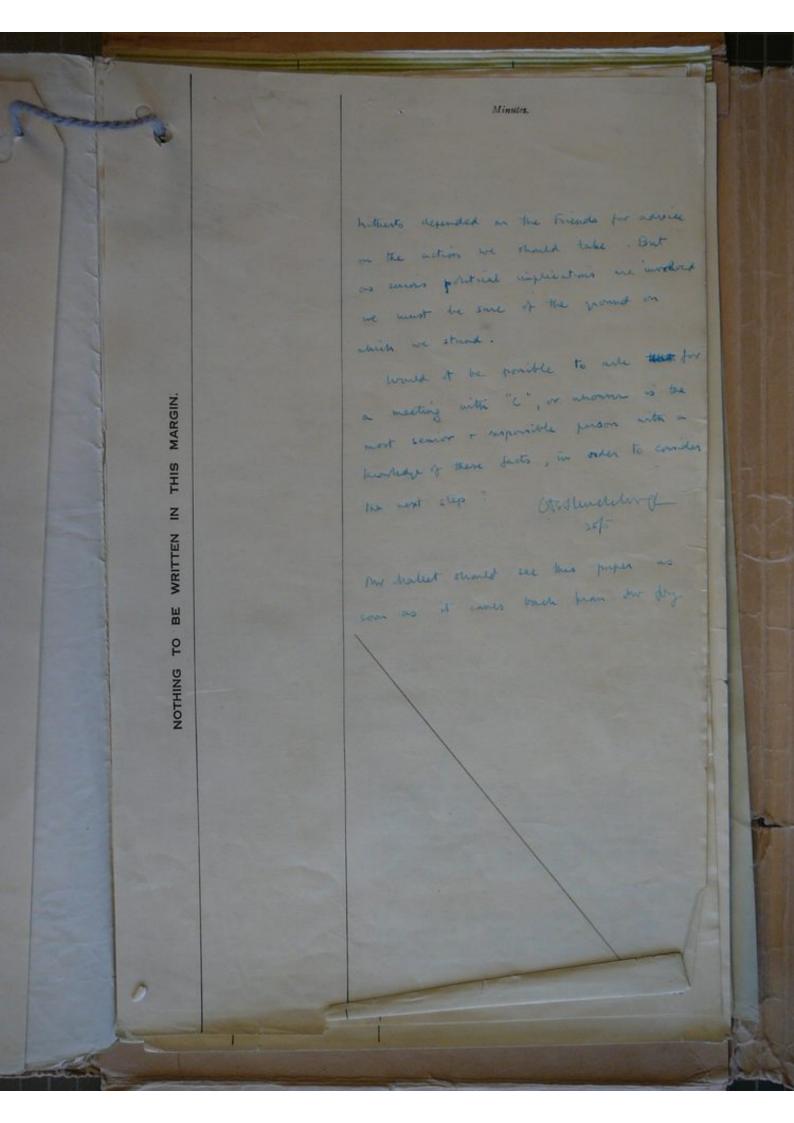
9. To return to Jonker's letter; he has stated the points which are not clear to him, he has shown us the way in which his mind is working and he has given us notice that he intends to get to the bottom of the story. He has not asked us any specific questions and I do not think, therefore, that we need address a reply to him. His activities may cause us embarrassment, but there is nothing we can do to restrain him.

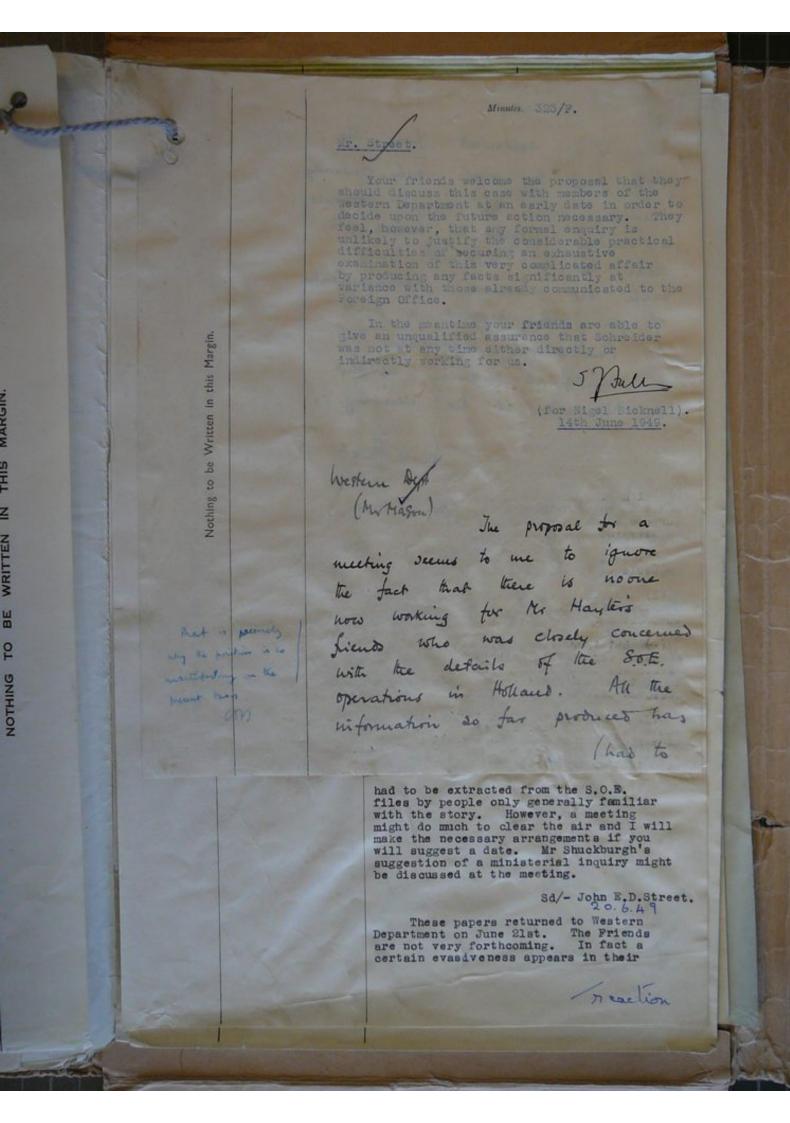
10. We should send a copy of Jonker's letter to Sir Philip Nichols, together with an indication of the line which we intend to take.

(R.H.Mason) 25th May,1949.

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reaction to our request for information.

Nor do I think that the lack of continuity in their organization is really a good reason for their professed inability to help us over the past history of this ill-fated operation. There is no one now in Western Department who was there before 1947. - but we don't refuse requests for information about events previous to that date!

However... I think the best thing to do is to go ahead with the proposed meeting and see what we can get out of it. A day at the beginning of next week would probably suit best.

Mr Mallet might like to see these papers and perhaps preside the meeting.

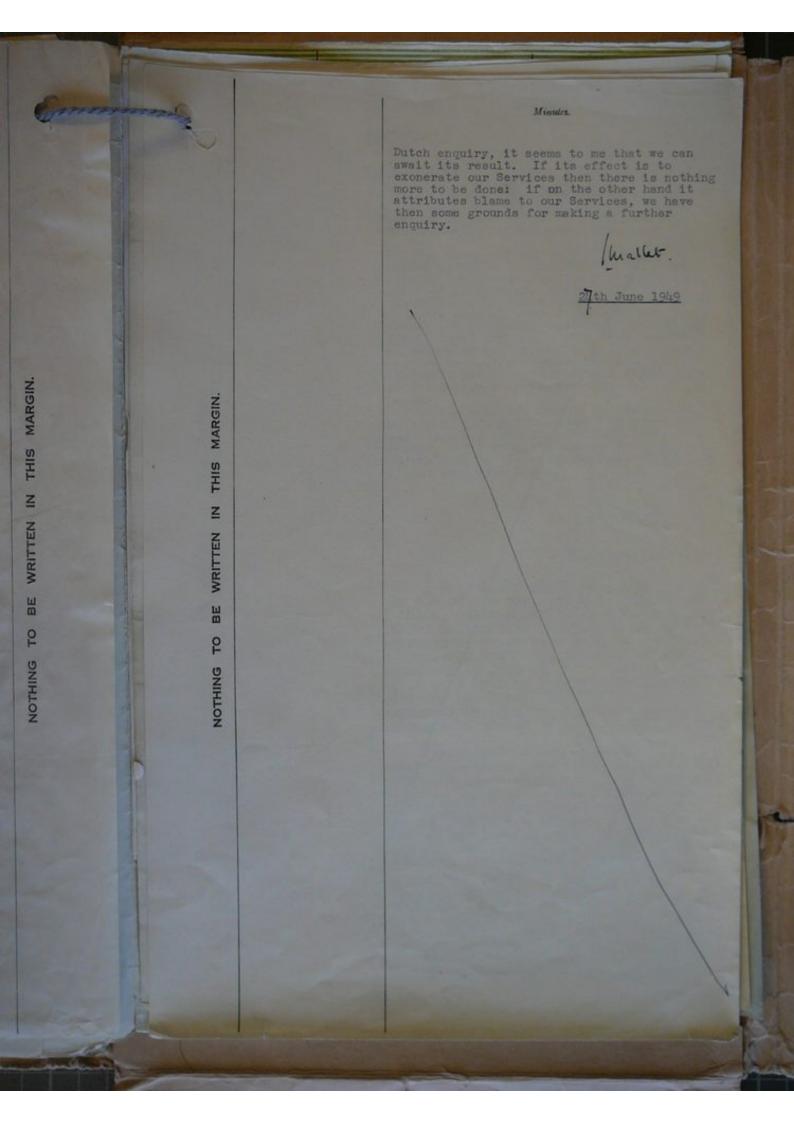
(J. Russell). 22 June, 1949.

I have looked through these papers and I am not convinced that any useful purpose would be served by any further enquiry into the matter at present.

It seems to me that the four most probable explanations of the affair are

- (1) that there was treachery in this country. I see no evidence to support this supposition.
- (2) that there was a deliberate policy aimed at securing the elimination of sgents and contacts in Holland. This seems to me to be too far fetched to be believed unless it were in connexion with
- (3) a plan whereby certain agents were sacrificed in order to establish the reputation with the German authorities of the man Schreieder, whom we wished to employ as a double agent.
- (4) that through stupidity, sloth and or carelessness S.O.E. failed to make use of various indications which were available of the fact that their agents were falling into the hands of the Germans.

Of all these suppositions the last seems to me to be the least unlikely. But however this may be, the position now is that we have received a letter from a lawyer who is defending Waals in Holland, and that a Dutch Commission is investigating the affair. The letter seems to me to call for no answer: in fact if we were to attempt to answer it we might be led on into a very embarrassing discussion. As for the Dutch



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I attach a file about certain operations of S.O.E. during the war which have become known by the name of the Englandspeil, of which you may possibly have heard.

The story briefly is that an agent dropped by S.O.E. in Holland fell into the hands of the Germans, and as a result a number of other agents subsequently fell into their hands, and a large number of Dutch resisters were discovered and executed by the Germans. Some stories have been circulating in Holland to the effect that this tragedy was caused either by treachery in the British Services or by carelessness there or as a deliberate attempt to build up a double agent who was employed by the Germans.

As you will see from my minute on the top paper, I do not think that we should, or need, take any action in the matter at present, but I wondered whether you could add anything to the story from recollections of your days with S.O.E.

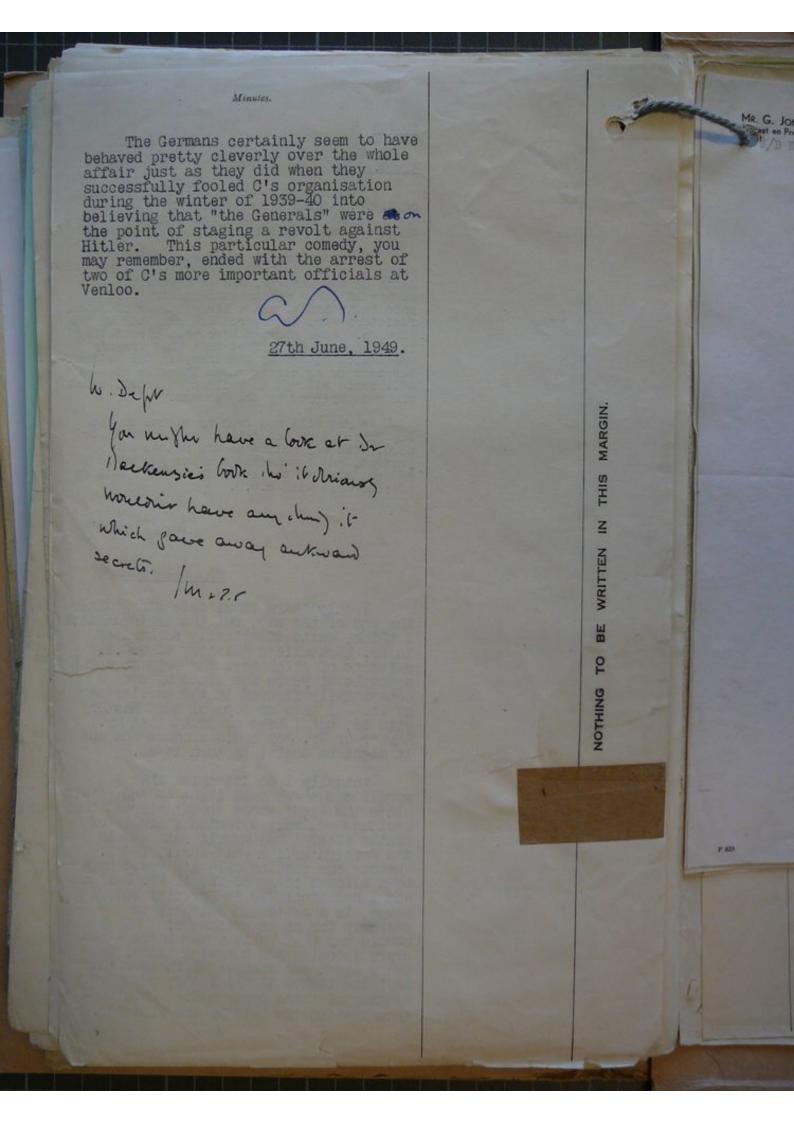
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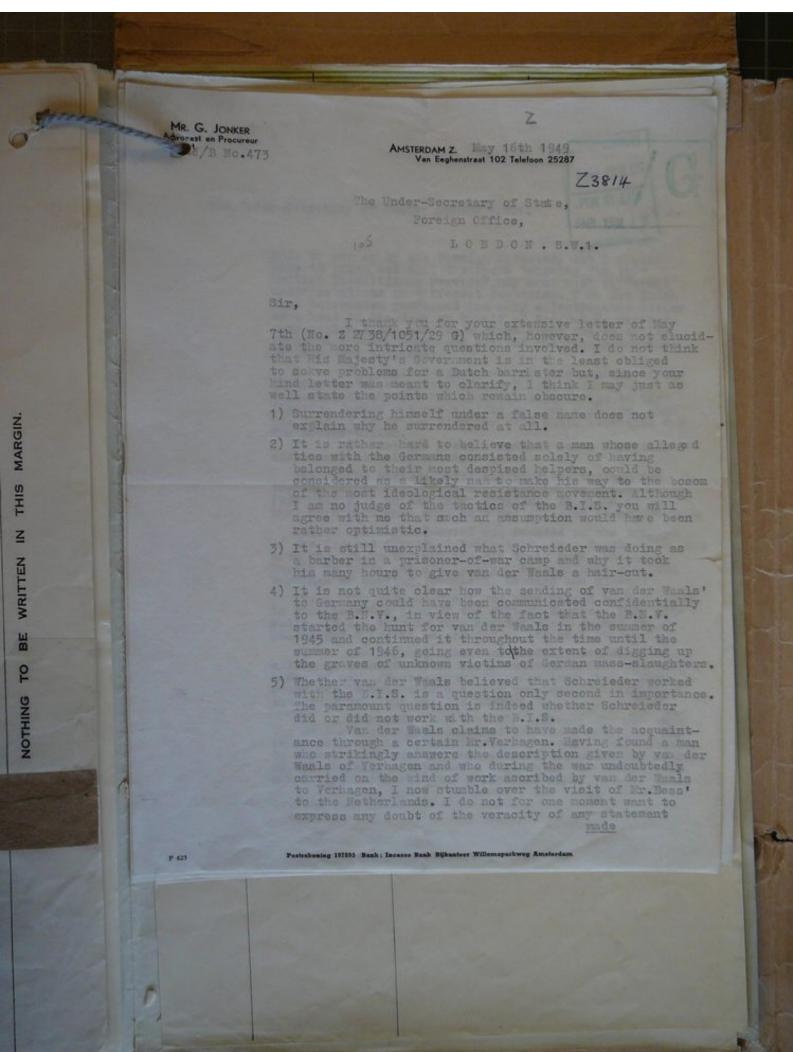
27th June 1949

I only heard about this story after the end of the war, but the incident is, I think, quite impartially summarised in Dr. Mackenzie's "History of S.O.E," extracts of which were shown to me about a couple of years ago since my name occasionally figured in the earlier part of it. I have no copy of this History with me, but I have no doubt that Mr. Hayter or Mr. Joy could produce one and it might be useful to turn it up.

Actually I do not think that I myself can throw much light on the affair since the Agent whose arrest started the business was only arrested a couple of months after I had myself returned to the Foreign Office (mid-April, 1942). Whether the ensuing calamity would have been allowed to go so far if Mr. Dalton and I had continued in Berkeley Square House, is a matter on which it is scarcely for me to pronounce! But I should say that while I was there I saw every incoming and outgoing signal from every Agent and whenever I thought that anything looked at all fishy, demanded a meeting of those concerned. Sometimes this meeting was held by the Minister.

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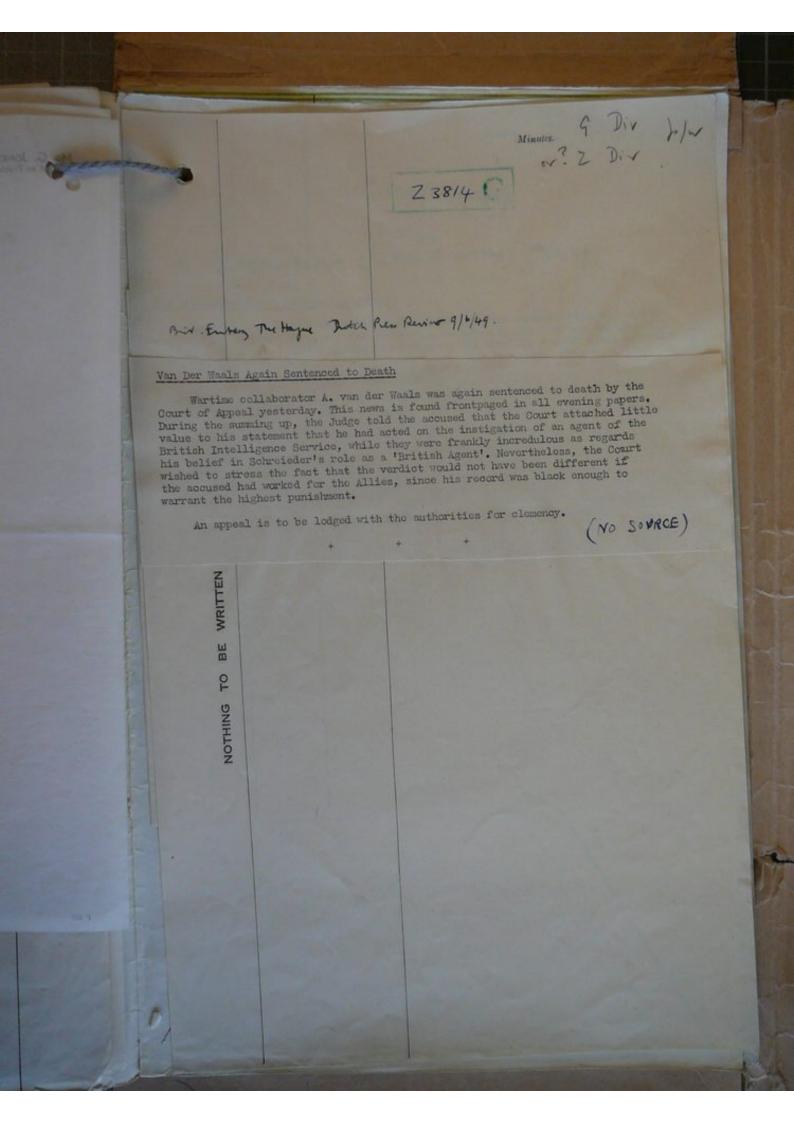
MR. G. JONKER droceat on Procureur AMSTERDAM Z. May 16th 1949. Van Eeghenstraat 102 Telefoon 25287 The Under-Secretary of State, LONDON S. W.1. Page 2. made by you or by the Poreign Minister, but I should like to point out that the words "working for the British Intelligence Service" may meet with different unterpretations in different countries. I do not think that Schreieder performed his many objectionable duties as a head of the S.B. on behalf of the B.I.S. However, many explanations have been given about the so called "England Spiel", which are all but one highly unsatisfactory. For instance: I. The England-Spiel was possible because of the transcendental stupidity of the B.I.S. which at the beginning of the war had lost its capable men to the fighting forces and was staffed by mere amateurs. This was told to me by the director of a State Institute for war Documentation. I have too great a respect for the British efficiency to believe this. II. The England-Spiel was possible through the treason of one high British officer in the S.C.E. (preferably, I think, Major Bingham). It seems to me that this gentleman must have had a rather strenuous job. The England-Spiel was founded on the treason of the drouped agents. I think this is not only libellous with regards to the men who did their duty, but also hardly feasible and absolutely irreconcilable with the warnings of Dessing, Dourlein, Bebbink and others. IV. The England-Spiel has been staged by the 3.1.5. to eliminate the pick of the Western European intelligentia. It was this assing slander which caused the Manchester Guardian to ask for an official statement. V. The England-Spiel was wilfully staged by the Allies in order to avert German attention from the future scene of war, France. Apart from the fact that history seems not to bear this out, the version might explain the droppings, but not the capture. VI. Schreieder was the only a preachable man in the Reichs Sicherheits Hauptant but could only have any value as a spy if by sufficient successes he were enabled to make a quick career. Thus sacrificing a limited number of men the Allies obtained a key-man in the German camp which palpably served the Allied war sins. Postrehening 197893 Bank: Incaseo Bank Bijhanteer Willemsparkweg Amsterdar

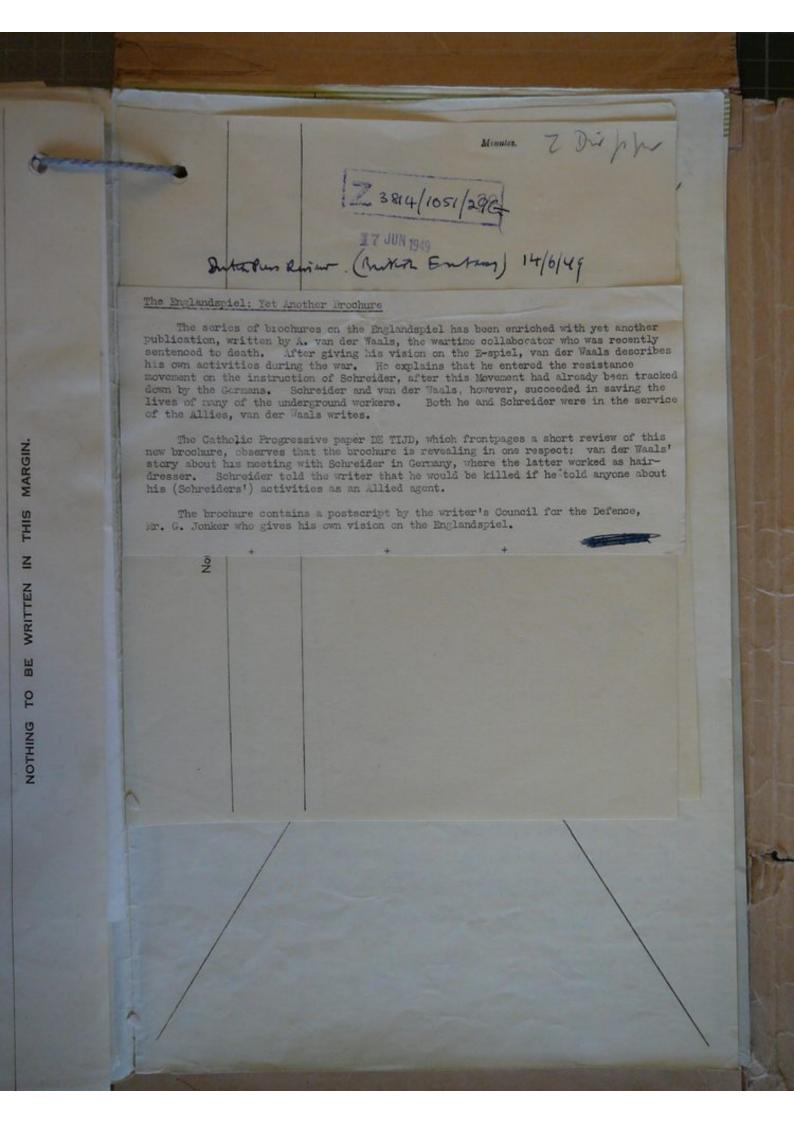
MR G. JONKER AMSTERDAM Z. Van Eeghenstraat 102 Telefoon 25287 The Under-Secretary of State, LONIOS 8.W.1. Page 3 As far as I can see only explanation VI covers most of the ground. I do not see how any blame could be thrown on the allied High Command thereby, any more than by the Dieppe raid or any other action in which a party is sacrificed to save the lives of thousands or more. Incase surmise VI were true, I do not think an official admowledgement of the state of affairs would be desirable. Although I as seither a soldier nor a spy nor a politician I can quite see that the inner works of war-fare should be discussed as little as possible. But in this case my hand is being forced. I was appointed by Court to defend van der Waals. I am to defend him as well as I can and I am not appointed to repeat any official point of view on the mero grounds of its being an official view. I have to test the clements of the case on their probability. For the moment I can only see that my client, who claims - and even during the war has claimed to his relatives and his German girl-friend - that he worked for the Allies, is going to be shot while his master, whose acts are far from dissimilar to those, which brought many Germans to the gallows or in prison, is being led out of the country. A German girl who brought in an accusation against that master, grave enough to hang him, was ordered out of the country within 48 hours. For the soment I see rhyme nor reason in all this, except if I see it as the deliberate sacrifice of a stupid man who though himself elected to the (in my eyes rather dubious) fascination of the Game, but without any MAHBUB ABI to get him out of trouble, no HURRES BANU and his red umbrella, only many CREIGHTON SAMIBS to let And I am going to fight this. Apart from everything class my reputation is at stake. I did not ask for this case, but having got it I have to bring it off. I am going to fight it on the beaches and the open plains, in and out of the woods and in any back-yard where any haundry is left unlaundered. I am going to fight it even if they kill my client first. Because, I sincerely think, may know him not to be guilty. I have a very great love for your country and a very profound respect for its inhabitants. Fore than I can say I hate dragging Great Britain into a fight which in meither of your nor of my scaking and which we all only owe to an irresponsible yielding to the popular Postrekening 197693 Bunk: Incasso Bank Bijkantoor Willemsparks

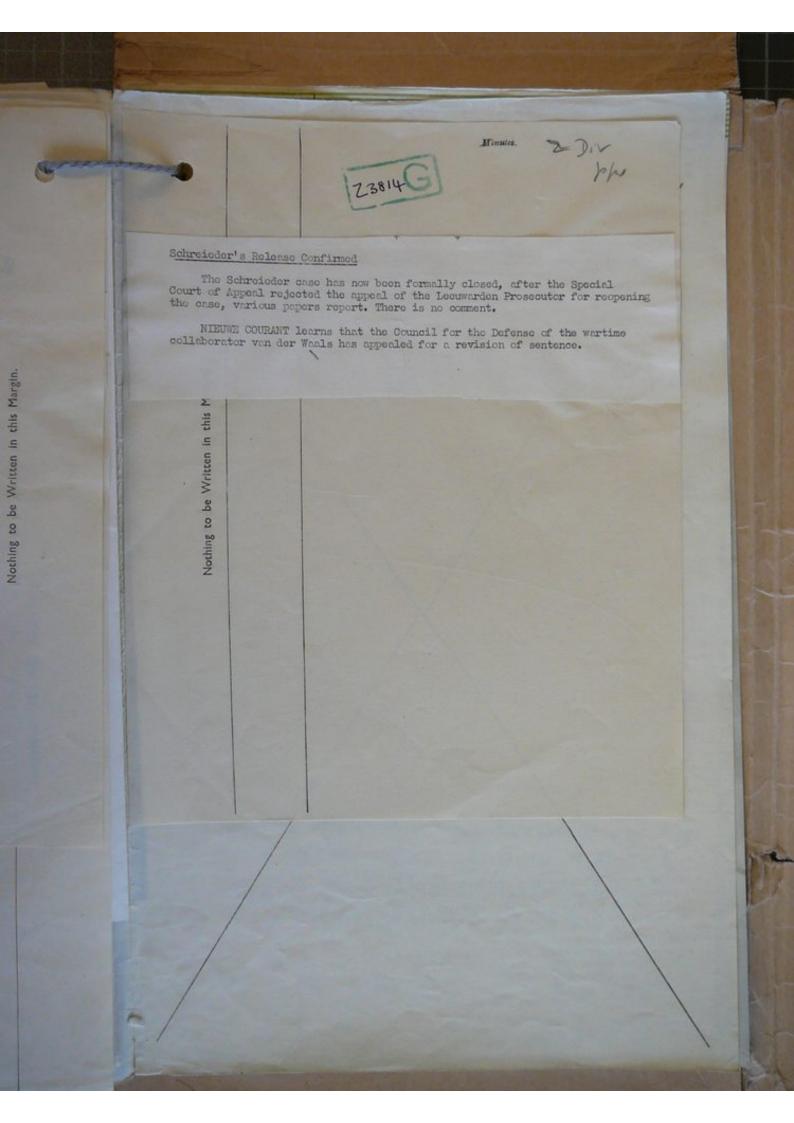
AMSTERDAM Z. 1849 1641 1949 . Van Eegbenstraat 102 Telefoon 25287 MR_G. JONKER Tago 4. The Uner-Secretary of State, LORDON B.W.1. eraving for blood on the part of my government and their public prosecutors. This is the main reason why I address myself in I want to state that I have no ulterior object.

If I had not been the lawyer of van der Waals' I should

never have bothered. If the unlikely would happen and my
never have bothered if the unlikely would happen and my
never have bothered. If the unlikely would happen and my
never have bothered. If the unlikely would happen and my
never have bothered. If the unlikely would happen and my
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such credulity the case is closed. But if the man is
such credulity the case is closed. But if the man is
such credulity the case is closed. But if the man is
such credulity to the needs of secrecy I shall have to batter
my way to justice. such length to you. As this battering might easily be misinterpreted as an unfriendly attitude towards your country I want to stress my deep devotion to the country I am forced to annoy. With the expression of my humblest respect to I am, yours sincorely pully P 425







1949	WESTERN Z3873 G
13.	NETHERLANDS
Z 3873 /1051/29G	
fus. M. a. Robb (Information Secrétary The Hague	Request for further information
MAR/NN	concerning the "Englandspiel"
Dated 11th may. Rec'd 23H may.	case.
Last Paper	(Minutes)
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	subject, on whice it is very easy to
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Next Paper	W. E. M.D. John Carrell
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low letter to her Brook, is in PW 468/ 4/929 (which I ettach) and you wish so that a copy was sunt to the Itagne Really it seems to me that the matter right to rest there was , but it smusters is to uply in this sense to Mr. Roll it showly I truink , be Wastern Dept . Wands you wan to have all there paper (Por 468/4/929 ant PN 594/4/129) re entered I' When they surely belong? 1000 armin Mr Russell I think then two P.W. papers she be reentered I (Green) Romason 5/July Please See draft letter him Rott. Lowosau I Rad abready wireled on April 2187 (2.4758/g) Ret Rue Papers 8hd be weatonot &.

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WESTERN STATE AND THE ALEWAN COAST

The letter to des Brook, is in PW 468/ 4/929 (which I attach) and you wish se that a copy was sent to the Itagne Really it seems to me that the matter right to rest there was, but it smelted g is to reply in this sense to Mr. Roll it show I truin be Western Dept . Would you was to have all these paper (Por 468/4/929 aut PW 594/4/129) re entered Z' Mune they surely belong? 1000 armham Mu Russell I think there two P.W. papers st. be recutered I (Green) Please See draft letter to Mr Rott . Lawaser 12/ Ing I Rad already wireled on April 218+ (2.4758/g) Ret Rue papers sed be weatoned Es.

Z3873 Mr. Mason, Western Department. SSY rvices This refers to a letter which I passed on to you. Perhaps the two had better be married. IAGUE 149 11th May, 1949. eter Rebullattrows nce half pasted a copy of your letter he "Englandspiel". ould let me have also a with any background Peter Matthews. u can imagine, this 18th May, 1949 concern here. ooks ich had s Officer ition about iad from ks said treachery his has cion NOT from "Truth" . We certainly do not propose to pursue the matter any further and our line is that The legs said about this unhappy affair the better. The Ambassador is, of course, fully aware of our attitude, on this subject. ALEWAN Yours Sincerely, 器 (R.H. Mason)

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I'm mason 105 3873 CH. No. 182645. BRITISH EMBASSY Press and Information Services Our Ref. MAR/NW. 29, LANGE VOORHOUT, THE HAGUE 49 Restricted 11th May, 1949. Dear Matthews, ter Thank you for having sent to me a copy of your letter PW 468/4/929 of May 4th to Brooks about the "Englandspiel". I would however be very grateful if you would let me have also a log la ly pasted copy of the letter received from Brooks, with any background to the request that there may be. As you can imagine, this is a topic which causes very considerable concern here. coks land content 3100m ich had Yours ever, s Officer michaelados tion about M. A. Robb. Information Secretary. ind from Peter Matthews Esq. , News Department, Foreign Office, ce said Downing Street, LONDON S.W.1. treachery has ci on from "Truth" . We certainly do not propose to pursue the matter any further, and our line is that the legs said about this unhappy affair the better. The Ambassador is, of course, 9 fully aware of our attitude, on this subject. Yours Sincerely, (R.H. Mason) NAMES OF TAXABLE PARTY.

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Restricted.

Mr. M.A.Robb, Information Secy., The Hague.

From:-

Mr.R.H.Mason



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toc please

Dear Robb,

Your letter of the 11th May to Peter

that hews of the News Department, reference
MAR/NW about "Englandspiel", has been passed
to me. I spologise for the long delay
in replying. The letter which Mr. Brooks
wrote passed on a copy of a letter which had
been addressed to the Public Relations Officer
at the War Office, asking for information about
the "Englandspiel". The War Office had
referred the writer to us and you have
a copy of our reply. Mr. Brooks'
letter had been inspired by a letter from
a reader of "Truth" in Holland.

In reply to our letter Mr. Brocks said
that "Truth" was glad to have such an
explicit denial of the allegation of treachery
and pointed out that our reply made no
reference to Major Bingham, to whom his
original letter had referred. There has
been no further request for information
from "Truth".

We certainly do not propose to pursue the matter any further and our line is that the legs said about this unhappy affair the better. The Ambassador is, of course, fully aware of our attitude, on this subject.

Yours Sincerely,

July 18.7

(R.H. Mason)

SECRET

FOREIGN OFFICE, S.W. 1.
14th July, 1949.

(Z 3873/1051/29 G)

SECRET

Dear Robb,

Your letter of the 11th May to Peter Matthews of the News Department, reference MAR/NW about, the "Englandspiel", has been eventually passed to me. I apologise for the long delay in replying. The letter which Mr. Brooks wrote to Matthews passed on a copy of a letter which had been addressed to the Public Relations Officer at the War Office, asking for information about the "Englandspiel". The War Office had referred the writer to us and you have a copy of our reply. Mr. Brooks' letter had been inspired by a letter from a reader of "Truth" in Holland.

In reply to our letter Mr. Brooks said that "Truth" was glad to have such an explicit denial of the allegation of treachery but pointed out that our reply made no reference to Major Bingham, to whom his original letter had referred. There has been no further request for information from "Truth".

Our emission of any reference to Bingham was of course deliberate and we certainly do not propose to pursue the matter any further. The less said about this unhappy affair the better. The Ambassador is, of course, fully aware of our attitude.

Yours sincerely,

Healt Mason

(R.H. Mason)

M.A. Robb, Esq.,

The Hague.