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No. 151

(WN 1051/6G)

SECRET

POREIGN OFFICE, 8.W.1. 24th April, 1950.

Sir.

There has been a new development in the case of the "Englandspiel" about which you last reported in your despatch No. 61 (1091/6/50) of the 21st February. 2. On 21st April Mr. S. Bingham, whose name will be familiar to you and who was one of the officers interrogated by Dr. L.A. Donker during his visit to London in 1949, called at the Foreign Office to say that he had decided to institute proceedings for libel in a Dutch court against a Mr. de Granf, who had frequently made untrue and damaging allegations against him in the press. Mr. Bingham had discussed the possibility of starting a libel action with Dr. Donker in 1949 and the latter had advised him to await the publication of the report of the Netherlands Parliamentary Commission of Enquiry. Recently, however, the damaging statements had seemed to be gaining a wider credence instead of dying down, and Mr. Bingham's father, who lives in Holland, had received a number of insulting anonymous letters. Mr. Bingham himself had also seen a prospect of employment in Indonesia vanish when the contract had seemed within his grasp and had been led to believe that the de Graaf articles were in some way to blame.

3. In view of these developments, Mr. Bingham consulted a Dutch lawyer who had advised him that he had a first class case and that it would be better to start proceedings /before

I.P. Garran, Esq., etc., etc., etc., The Hague. before the publication of the Commission's report so that its findings, which might well be somewhat vague and imprecise, served to substantiate the facts already brought out in the libel action. If it was only after the Commission of Enquiry had published their findings that Mr. Bingham sued Mr. de Greaf, it would be argued that he had been afraid of what the Commission might discover and had hesitated to involve himself in further enquiries until after the Commission had been dissolved. Mr. Bingham enquired whether the Foreign Office saw any objection to him acting on the advice of his lawyer and proceeding with the case.

- h. After consideration of the security and political aspects of the matter Mr. Bingham was informed that there was no objection to him acting as he wished, but he was advised to write personally to Dr. Donker to explain his intentions and the reasons which had prompted him to change his mind. He was also advised to request Dr. Donker to allow his lawyer to make use of certain official statements which had been laid before the Commission if this became necessary. If fact Mr. Bingham's lawyer does not expect that he will need such statements and he does not intend to call Mr. Bingham as a witness in court.
- 5. Unfortunately Mr. Bingham only decided to inform the Foreign Office of his intentions and to ask for their approval at the last minute and as the case could not be long delayed if it was to start before publication of the Commission's report it was not possible to consult you before telling Mr. Bingham that he might proceed. It would, in any case, have proved difficult to dissuade him and there is, as I think

/you ...

Ditto Ashella books F. you will agree, a good deal to be said for his argument that his reputation will benefit from a libel action undertaken at this moment. I am, with great truth, Bir, Your obedient Servant, (For Mr. Younger) Sd. Col. Laure Burnign torties to our that he had desided for incultaries

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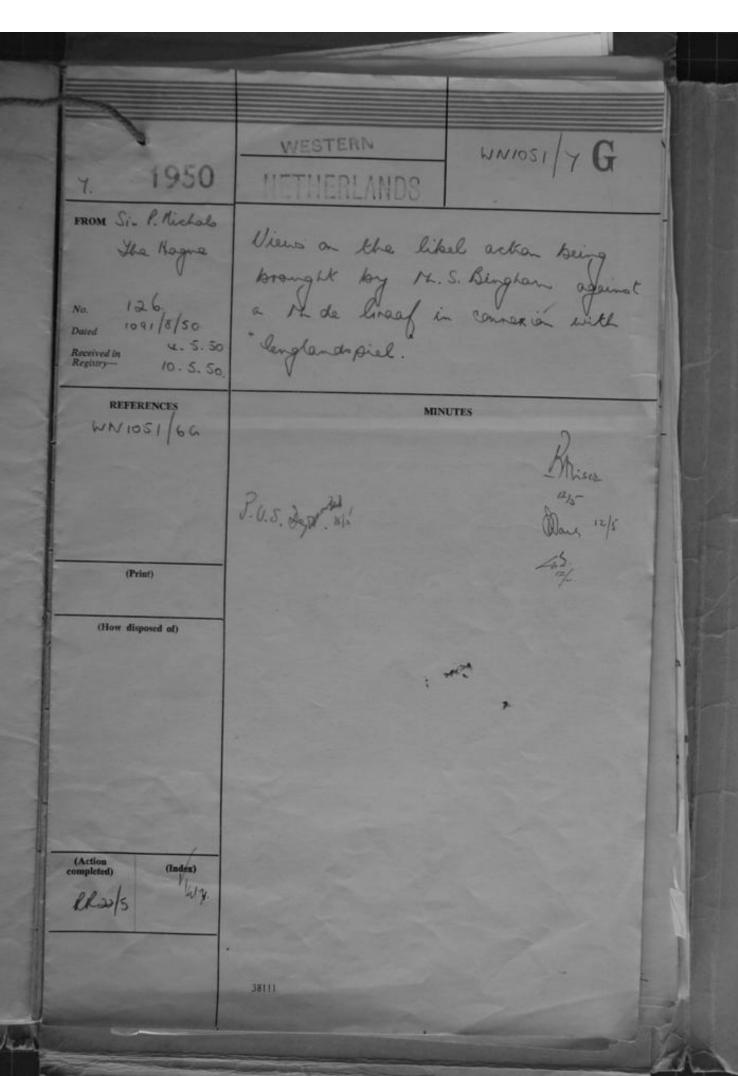
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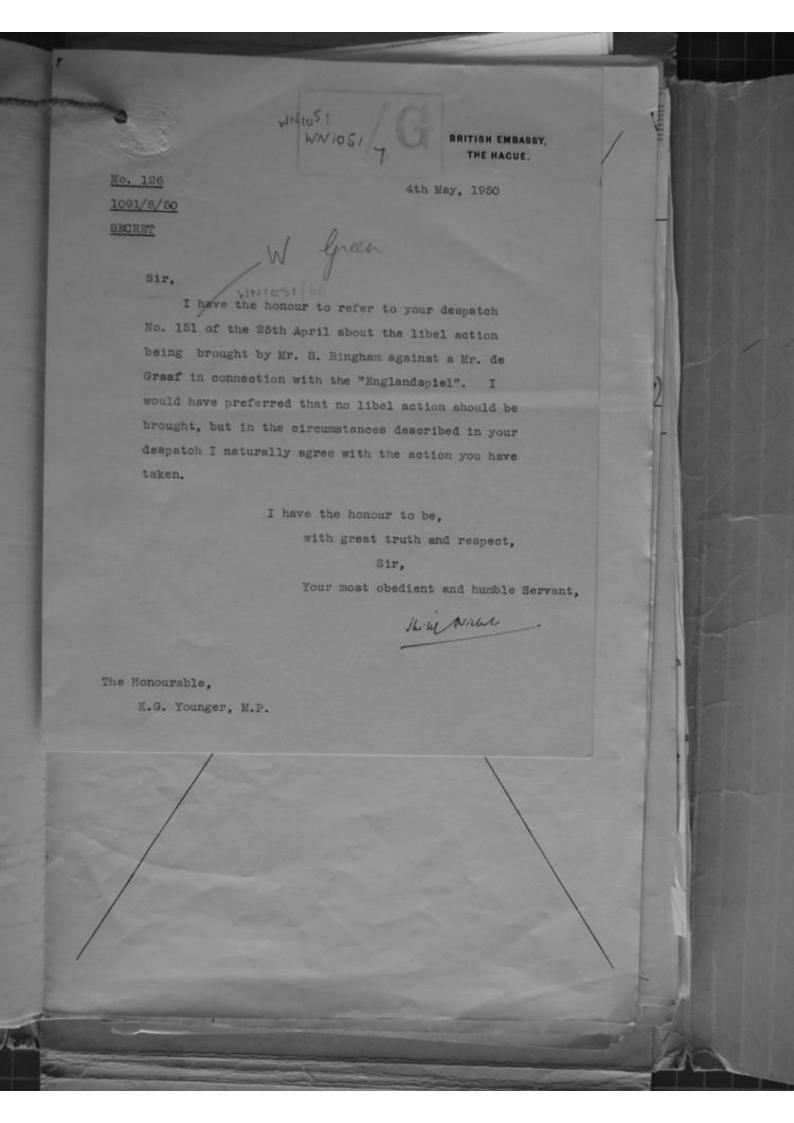
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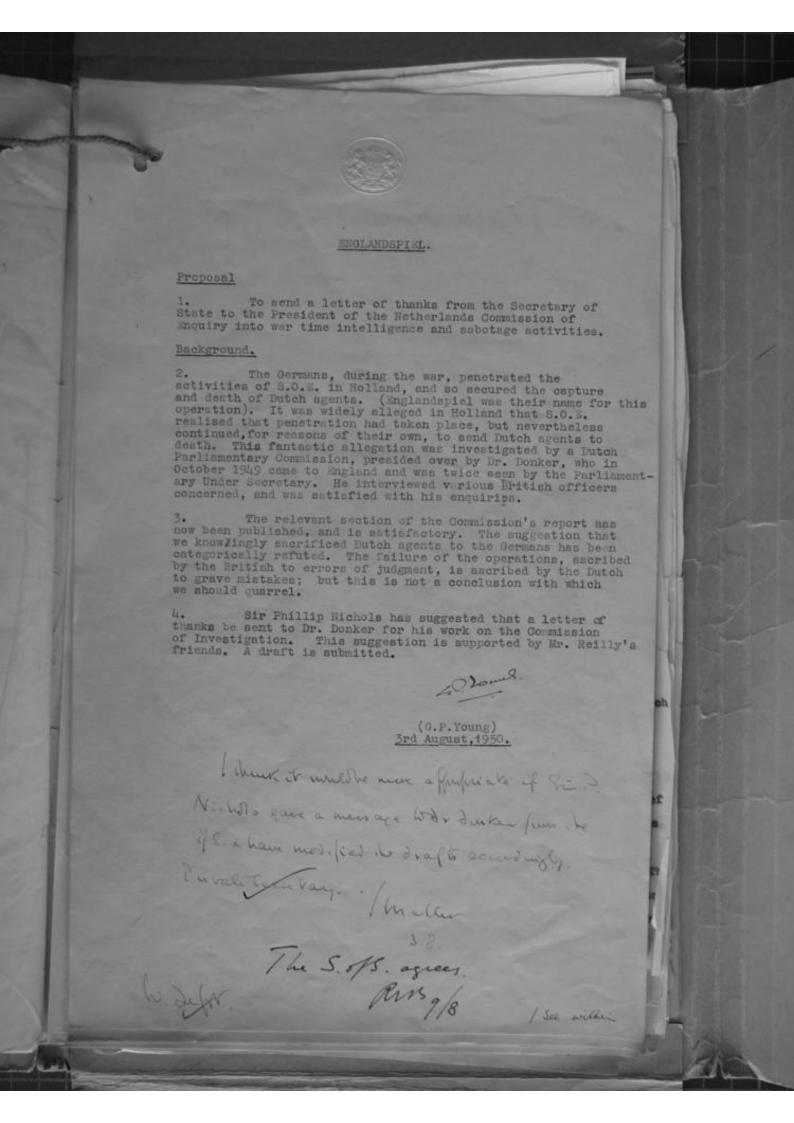
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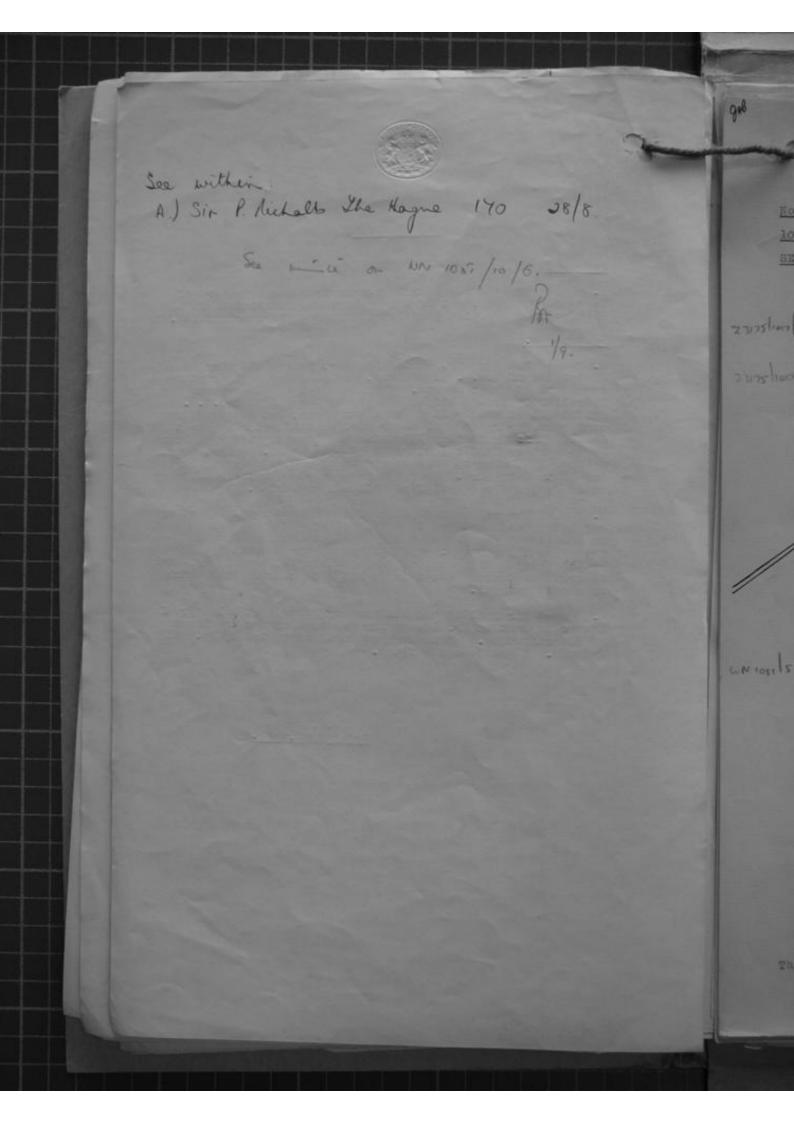


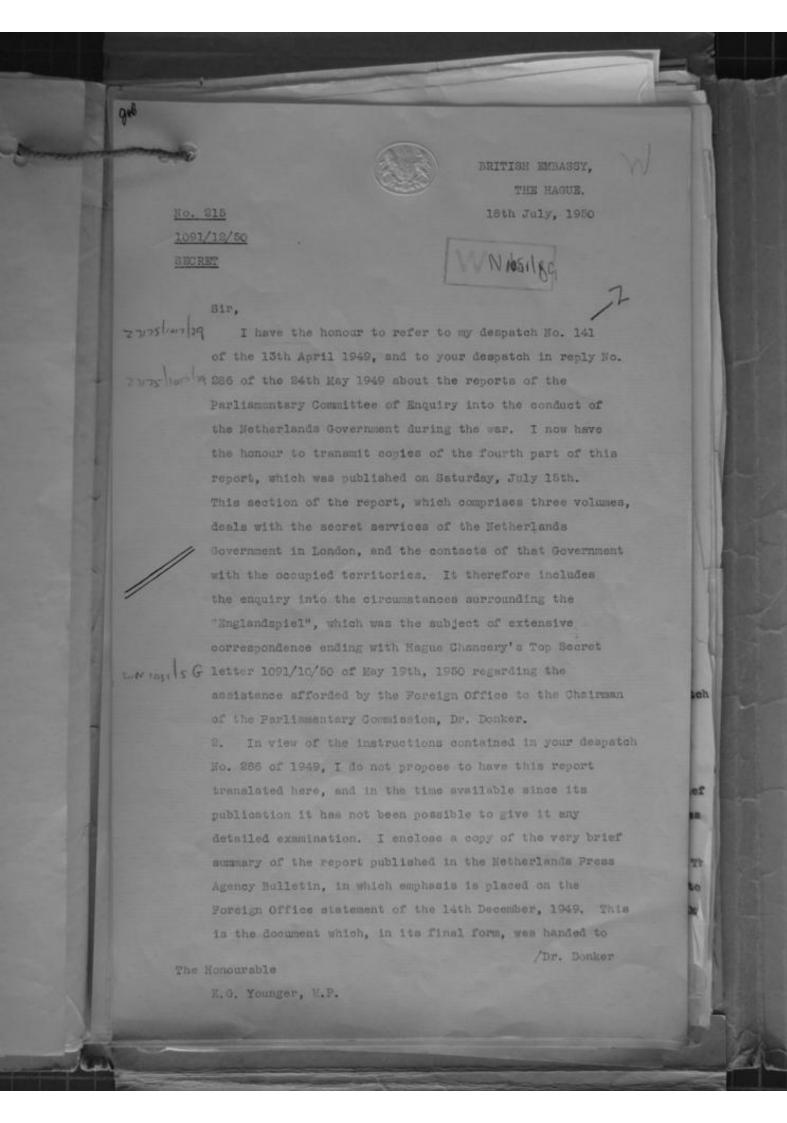


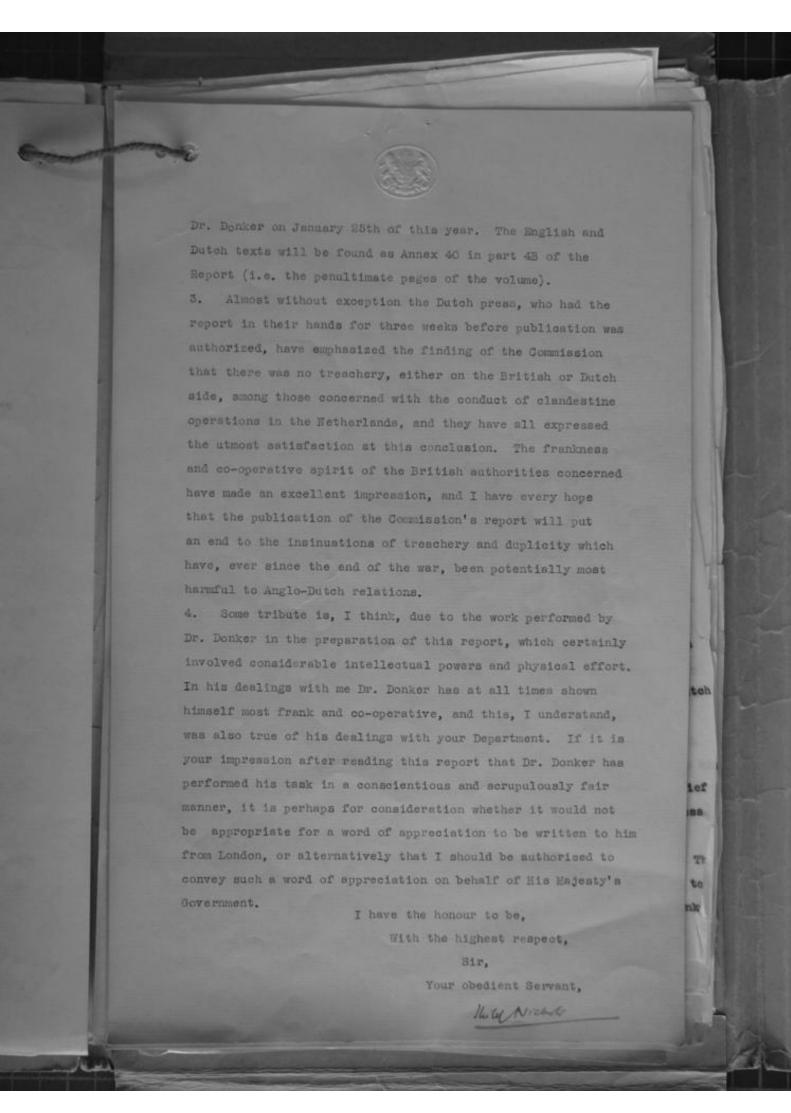
WESTERN DEPARTMENT WN 1051/8 1950 METHERLANDS FROM Sir P. Nichols The Parliamentary bommittee of Enquery into The Hague the conduct of the Netherlands Government during the war. No. 215 1091/12/50 bopies of the fourth part of the Report Dated 18 July Refers to Hague despotet No 141 of 13 April 1949 (23175) and Young before depotet No 281 of 94 May 1949 1017/29) 19 July 3175 /1017/29 (1949) To a trief listing of their care WN 1051/5 G (1950) about a copy of a menorandu prepared for in Withiam Strong a- 1800 they. the Commission's reflect is in Worldon it is in Julie it is of condenie (How disposed of) 19ht Sir Pluchel Ilp Hague 40. 291 press land acuse to the Ang. 15 annissionis report for 3 weaks before its publicables hakes it reasonably certain hint has an claim starting passages to calicl are august like laceglien a horizone his regar has led to his (Index) 11/12-Anteh press. It does

I that So ? Arel or magnitive and a dealt. It might be as well to wife his pless that he have writer to de downer in application to he downer in application time. That other wise to leave the Counissions hid - 33 while to comment I altach a dealt tolke tagers. I lineak these papers should be seen by Mr. Reity's priends Begins any action is liter. 691/F The Commission's report appears to have followed substantially the line indicated by Dr. Donker during his visit to London and is as satisfactory as Mr. Reilly's friends could have hoped for under the circumstances. The main, and highly damaging charges have been well and truly refuted and judging by the apparently favourable reception given to the report both here and in Holland the charges of ineptitude seem to have been over-shadowed by satisfaction that the accusations of treachery have been dispelled. The friends concerned fully support
Sir P. Nichols suggestion that a letter be written
to Dr. Donker and they agree that it would be a pity
to stir up the press here by enlarging on or
quibaling about any of the Commission's findings. Mycobuhudl (Nigel Bicknell) 31st July, 1950. Minist roft submissed In Young has mentioned this to Sit Nichols who will cel'us their as soon as he has passed the message to A. Jonkers. No action required titl men. Broke











## Enclosure to The Hague despatch No. 215 of 18th July, 1950 "ENGLAND SPIEL" - REPORT PUBLISHED

The Hague, July 15th. - A three-volume report, weighing twelve kilogrammes and containing 3,000 pages - which took three months to print - on the "England Spiel" was published here today by the Dutch Parliamentary Enquiry Commission investigating the wartime conduct of the Netherlands Government in London.

The "England Spiel" was a German counter-espionage movement in Holland during World War II, which caused the capture and death of meny Dutch and British agents dropped in the Netherlands during the war.

In its report the commission unanimously rejects "the many, often fantastic and speculative theories about treachery, either on the British or on the Dutch side" in the military intelligence service and the military administration in London.

## Strong Criticism

But the Dutch as well as the British intelligence services in London and the policy concerning the secret services followed by the Netherlands wartime Government in London are strongly criticised by the commission. Responsibility for the mistakes made on the Dutch side, the report states, is born by the Dutch cabinet at that time, "but especially by some of the individual Hinisters."

In this connection the commission's report mentions Holland's wartime Premier Professor P.S. Gerbrandy, former Defence Minister Mr. A.Q.H. Dijxhoorn, former Navy Minister Lieutenant-Admiral (ret.) J.T. Fürstner, former Foreign Affairs Minister Dr. E.N. van Kleffens and former Home Affairs Minister Mr. H. van Boeyen. Foreign Office Report

On the initiative of the British Ambassador in the Netherlands contact was established between the Dutch Perliamentary Commission and the British Foreign Office. The British Government agreed

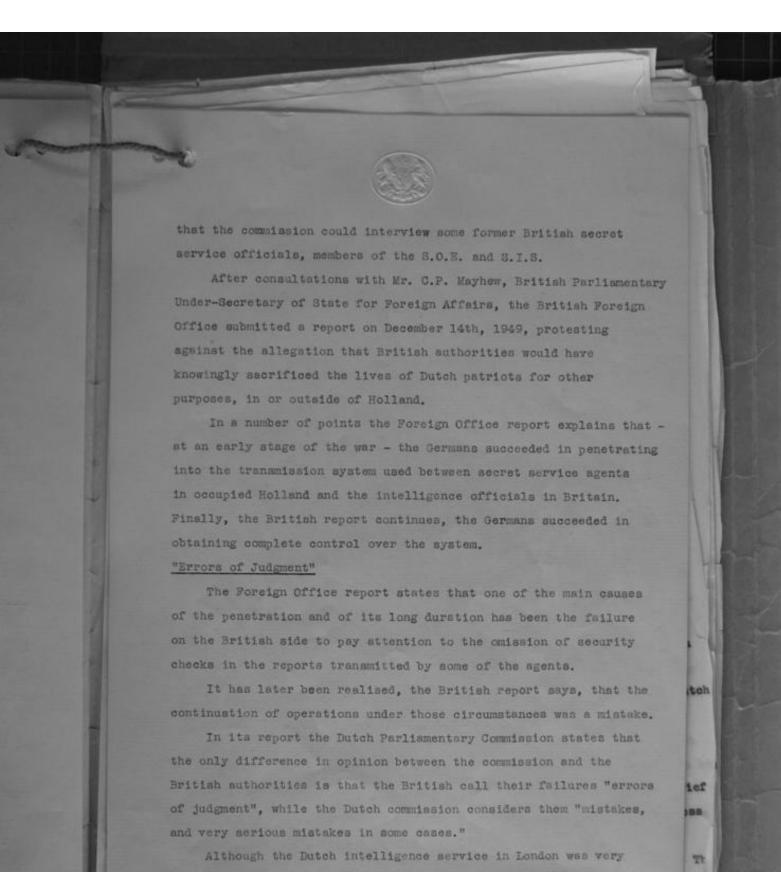
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much dependent on the British one, which lessened its own

responsibility, the commission has found it guilty of many

failures, the report says.

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