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## The Security Service and a Family's Right to Know

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## **READERS' FORUM**

# The Security Service and a Family's Right to Know

The United Kingdom's Freedom of Information Act gives any person the right to be informed by the public authority whether it holds information specified in the request made and, if that is the case, to have that information communicated to him/her. Although an exemption clause includes the UK's Security Service (MI5), I argue, using an example I have come to know well, that a family's right to be informed should prevail over a service's refusal to release information that is 70 years old and an integral part of British history.

My father, Roger Augustin Grosjean, was a decorated Free French Air Force fighter pilot during World War II as well as an agent, codenamed FIDO, for the Double Cross System, the deception operation run by the British Security Service. The published evidence of FIDO's existence is now quite extensive and can be found in books by Thaddeus Holt, John C. Masterman, and Nigel West, as well as in the published diaries of Guy Liddell, MI5's Director of Counterespionage from 1939–1945. Based on this evidence as well on material my father left me, and the information I found in the archives of the French Air Force, I was able to write for this *Journal* in 2010 a first account of his work as an agent.<sup>2</sup>

The one organization that refuses to overtly acknowledge the existence of Grosjean/FIDO, however, as well as release information about him, is MI5 itself. In 2004, when I did not yet have full proof of my father's involvement with the Security Service, I wrote to MI5 to ask whether two of my relatives, my father and my British great aunt, had been involved with the Service during the war. I received a very short letter in return that clearly indicated that MI5 had no record for my great aunt. As for my father, the answer was as follows: "We are not in a position to say whether we hold a record for your father. Any record we might have would be unlikely to be releasable in the foreseeable future." So, clearly, the organization has his file. Had this not been so, they would have given similar answers for my great aunt and my father.

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Since 2004, I have undertaken considerable research to find out about my father's involvement with MI5 during World War II. Each time I made progress, I wrote to MI5 to ask that I be allowed to see his file, either privately or via the United Kingdom's National Archives to which they would have released it. I also wrote to the British Ambassador in Switzerland, my country of residence, to the then—Prime Minister Tony Blair (I received a form letter in return stating that my "views" had been carefully noted!), as well as to people who might be able to help. But all this has been to no avail.

At this stage many, if not most, of the files of Double Cross agents have been released and can be perused at the National Archives. Some seven decades have gone by since these agents were active and all have passed away (with perhaps one or two exceptions), including my father who died in 1975, some 39 years ago.

As a last resort, I appealed to the Investigatory Powers Tribunal that investigates complaints about the conduct of the Security Service. I became dubious about how far this would take me when they asked me how my case differed from the Frank-Steiner/Paul Rosbaud case (no. IPT/06/81/CH). Paul Rosbaud worked for the scientific publisher Springer Verlag in Germany during the war and supplied the British with intelligence on secret scientific projects taking place there. Mr. Frank-Steiner, his nephew by marriage, has struggled to have his relative's work as an agent recognized by the Secret Intelligence Service (SIS, also known as MI6).

My arguments were that, unlike SIS, MI5 has already released many Double Cross agent files into the KV2 section of the National Archives; therefore why not my father's? In addition, unlike the Rosbaud case, the Grosjean/FIDO case has been confirmed semi-officially by MI5 (see their first response in 2004, the Masterman book, the *Guy Liddell diaries*, etc.). Furthermore, there is a direct genetic link between Grosjean/FIDO and me, whereas Mr. Frank-Steiner was only the nephew, by marriage, of Mr. Rosbaud. Finally, I stressed in my response that the Article 8 factors of the European Convention on Human Rights that were not present in the Frank-Steiner case were indeed present in my case. (Article 8 specifies that everyone has the right to respect for his private and family life.) I underlined the direct genetic link with my father, the fact that my father's activities had great impact on my own life (especially if my mother was involved), and that I wish to understand who my parents were and thereby better understand myself.

When the Investigatory Powers Tribunal asked if it could send my complaint to MI5, I realized that the final answer would be negative since the Service has repeatedly refused to acknowledge the existence of my father's file. And indeed, a few months later, I received the Tribunal's decision, namely that there "is no basis for distinguishing your case from that of Mr. Frank-Steiner... and that the Security Service's 'Neither Confirm nor Deny' policy and response to your particular complaint should be upheld."

Over the last ten years, I have constantly thought about why it is that the Security Service does not want to acknowledge that it has my father's file and to

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release it to the National Archives. The reasons given over the years, principally that of protecting former staff and agents, simply do not hold when we know that the events took place 70 years ago and that my father has been dead some 39 years. It was only in 2010, when I inherited documents from my deceased British mother, that things became clearer. (She is mentioned in the *Guy Liddell Diaries* on p. 196.<sup>3</sup>) I found indications that she might have been asked by the Security Service to take on the role of surveilling my father, either before or after the beginning of their relationship. To facilitate this, she took on his name by means of a Deed Poll only three months after they met, she gave up her job in the theatre world to go and live with him near his airbase, she obtained a speeded up divorce from her first husband later that year, and she was allowed to join my father in Paris in March 1945 while the war was still under way (civilian travel between England and France was practically impossible at the time). All of this needed the kind of support that only the Security Service could then give.

This intriguing turn of events takes on an added twist when one knows that she became pregnant with my sister only four months into her relationship with my father and several months before Grosjean/FIDO stopped working for MI5. Could the Service's reluctance to acknowledge having my father's file, and to release it, be quite simply that they do not want to admit that young English women were sometimes used for surveillance duties of agents during World War II, and that there were unwanted consequences from time to time? But surely this should weigh very little compared to allowing two descendants to understand why their parents divorced after only a few years and why there remained such animosity between the two for many years thereafter. The impact this has had on the life of both descendants has been immeasurable.

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<sup>3</sup> Nigel West, ed., *The Guy Liddell Diaries*, p. 196.