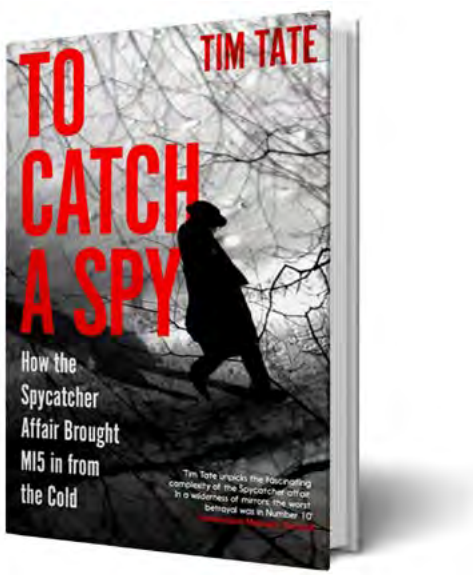
intelligence in public media

To Catch a Spy: How the Spycatcher Affair Brought MI5 in from the Cold

Reviewed by David Robarge



Author: *Tim Tate*
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Charles Dickens's 1853 novel *Bleak House* centers around an interminable probate case, *Jarndyce and Jarndyce*, that bleeds the estate in question of all its value and leaves the eventual inheritor with nothing. The campaign of Margaret Thatcher's government during 1985–91 to use the Official Secrets Act to prevent publication, and even public discussion of, the memoir of retired MI5 officer Peter Wright, *Spycatcher: The Candid Autobiography of a Senior Intelligence Officer*, has a similarly ironic outcome and produced a backlash akin to the British government's failed attempt in 1960 to ban *Lady Chatterley's Lover* under the Obscene Publications Act.

Motivated by the desire to prevent unauthorized disclosure of classified information and to protect MI5 from criticism, the effort must rank as one of the most counterproductive exercises in official censorship ever attempted. It cost the British government £3,000,000 pounds (over $10,000,000 today) and caused it severe domestic and international embarrassment. In *To Catch a Spy: How the Spycatcher Affair Brought MI5 in from the Cold*, investigative journalist and documentarian Tim Tate cogently and comprehensively lays out the inconsistency, duplicity, stubbornness, and shortsightedness of London's wasteful and futile effort to suppress Wright's book.

The damage done went far beyond discrediting the Thatcher government. It also resurfaced allegations of high-level Soviet penetration of MI5 and demonstrated that the service, because it was officially unacknowledged, essentially operated without legal restraints or parliamentary oversight. Despite doggedly resisting the patent need to hold MI5 accountable in some fashion, in the end the Thatcher government had to allow the service to be statu-

torily recognized and placed under ministerial review. That was only one of the ironies of the *Spycatcher* affair. Another was that the unsuccessful pursuit of the down-at-heels Wright turned his book—eventually translated into 11 languages—into a blockbuster bestseller that made him a millionaire.

Tate ably tells two stories in *To Catch a Spy*. The first is biographical; it recounts Wright's early life, limited education—he was expected to get a scholarship to Oxford or Cambridge until a family crisis forced him to find a job—work with the Royal Naval Scientific Service (RNSS) during and after WWII, courtesy of a family friend's intervention, and then in 1955 starting with MI5. He was a gifted but prideful and irascible technologist who contributed to advancements in electronics, but he also resented established scientists who viewed him as an impertinent outsider.

Wright's introduction to the world of counterintelligence had come before he joined MI5, when the head of the RNSS chose him to join a technology advisory committee. He found RNSS surveillance equipment and capabilities to be backward and was soon working on modernizing them. During this time he figured out how the never-before-seen microphone the Soviets had implanted in a wooden replica of the Great Seal of the United States hung in the US ambassador's office in Moscow worked—the device had baffled American scientists who examined it.

After joining MI5, Wright became involved in a series of counterespionage and security investigations that demonstrated the service's special powers and ability to operate on the edges of the law and beyond "in the defence of the realm," as its operating directive stated. A main target was the Communist Party of Great Britain. Since the 1930s, MI5 officers and agents had infiltrated party branches to find out what members were doing to aid the Soviets. Break-ins, phone taps, and surveillance were standard methods. "And we did have fun," Wright recalled in his memoir. "For five years we bugged and burgled our way across London at the State's behest, while pompous bowler-hatted civil servants in Whitehall pretended to look the other way." (52)

At the same time, Wright continued devising ingenious technical modifications to MI5's equipment. Despite the advances and initial successes against Soviet Bloc facilities, however, nothing worked well for long for most of the 1950s, leading Wright to conclude that Moscow had a mole inside MI5 who was blowing the operations. This assessment led to the most contentious and divisive episode in Wright's career. Energized by revelations and allegations of Soviet espionage against the UK, he joined some like-minded MI5 colleagues in inconclusive investigations of MI5 Director Roger Hollis and Deputy Director Graham Mitchell. Former MI6 officer Kim Philby's defection to the Soviet Union in 1963; the exposure of Anthony Blunt, the Surveyor of the Queen's Pictures, in 1964 as a member of what would come to be known as the Cambridge Five; and information shared by CIA's Counterintelligence Staff reinforced Wright's suspicions of treachery. In the course of his inquiries, he encountered distressing evidence of MI5's slovenly security practices, nurtured by a culture of Oxbridge clubiness and an abject fear of controversy, all of which Tate depicts exceedingly well. Wright also led an extraordinarily bizarre and illegal effort by a cabal of rogue MI5 officers to blackmail Labor Prime Minister Harold Wilson into resigning because they thought he was a Soviet agent.

Wright retired in 1976 in an highly conspiratorial frame of mind with none of the numerous MI5 officers he suspected of espionage having been caught. His last official act was signing an acknowledgment that in retirement he was still bound by the Official Secrets Act and prohibited from disclosing in any form any classified information he had learned in his 20-year career. He also discovered that MI5 would not honor an agreement made when it hired him to include his 14 years with the RNSS in his pension calculation because the benefit supposedly could not be transferred to a service that did not officially exist. That left Wright with only 60 percent of what he had been promised—not enough to live on, so in desperation he looked for other sources of income.

At a point Wright agreed to partner with the well-connected national security journalist Chapman Pincher. By then, having emigrated to Australia and living in a run-down dwelling in Tasmania hoping to become a horse breeder, Wright had composed a discursive, unpublishable memoir; Pincher would

use its information in a book and split the proceeds. Victor Rothschild, the fabulously wealthy Third Baron Rothschild who worked for MI5 during WWII, loomed in that relationship as a benefactor and middleman. Tate is unsparing in his evaluation of the trio, especially Pincher, as they connived to expose MI5's shady past: "Rothschild and Wright were professional dissemblers, willing and able to lie without remorse in the course of their duties or in pursuit of their individual goals; but of the three conspirators, it was the journalist whose duplicity and ruthless self-interest would cause the greatest trouble." (135)

The result of their dubious collaboration was Pincher's soon-to-be-notorious exposé of communist infiltration of Britain's society and government, *Their Trade is Treachery*. In the House of Commons, Thatcher denied the book's claim that Hollis was a Soviet agent. That exoneration and her assertion that Soviet infiltration of MI5 had been thoroughly investigated infuriated Wright. Around that time, two developments occurred that changed his life and turned *To Catch a Spy* into a captivating legal drama, which Tate relates with verve: the British government took steps to stifle public discussion of its intelligence services, and English television producer Paul Greenglass approached Wright for an interview about the Hollis matter. It aired in July 1983 and gave Wright a platform for accusing Hollis of espionage and Thatcher for misleading Parliament. As Tate observes, "Peter Wright was an unlikely whistleblower. Virulently right-wing and rabidly anti-communist.… It was an unseen irony that a man whose every political instinct and prejudice matched that of the Iron Lady in Number 10 was now marked out by her advisors as her enemy." (1, 166)

After Wright had Greenglass ghost-write *Spycatcher* and an Australian publisher agreed to print it, Thatcher's suppression operation would play out in courts around the world with Australia at center stage as she and her advisers sought to enjoin not just its publication but any open discussion of it in the UK and, later, parts of the British Commonwealth. In addition to Wright, the *dramatis personae* were his counsel, future Australian Prime Minister Malcolm Trumbull, and Thatcher Cabinet Secretary Robert Armstrong. Trumbull was then a brash, new lawyer, who was helped by a filing blunder by Her Majesty's lawyers that placed the trial in Sydney, a more liberal venue than Melbourne, where it should have been held. Also helping was the oversight of Justice Philip Powell, who would grow increasingly frustrated by the British government's legal tactics, procrastination, and double standards.

Trumbull's target was the smug and arrogant Armstrong, reluctantly dispatched to Australia along with a cohort of bewigged government lawyers and well-tailored Whitehall bureaucrats to defend London's flimsy case. Perhaps its most fundamental flaw was that for years former intelligence officers had discussed their work publicly, and books of their recollections or interviews with them had been published without sanction—including the memoir of former MI5 Director Percy Sillitoe, Nigel West's *A Matter of Trust: MI5, 1945-72*, and Pincher's *Their Trade is Treachery*, the latter two containing much of what was in *Spycatcher*. Trumbull also had other points in his favor, including that an Australian court ruled in 1980 that an official claim of confidentiality could only succeed if the information was truly confidential—hardly the case after the publication of Pincher's book. Tate's narrative then builds in suspense as he describes the trial, including details of Turnbull's courtroom theatrics, which he used to eviscerate London's case. Tate effectively addresses Turnbull's week-long inquisition of Armstrong that would leave the latter's reputation in tatters.

The affair would turn into a farce outside of the court, as a US edition of *Spycatcher* became readily obtainable in the UK even though it was officially banned and public libraries had to remove imported copies of it from their shelves. Yet, Tate acerbically notes: "One of these imported copies was formally placed in the House of Commons library, ensuring… that MPs could enjoy Wright's dangerous memoirs over restorative drinks in one of the House of Commons' many bars. Less privileged institutions, however, found themselves unable to share the book with their readers." (305) Tate adds several more ludicrous examples.

Powell's 85,000-word, 286-page decision, handed down in March 1987 and upheld on appeal, categor-

ically rebuffed London's position. "[W]hen one observes all the information [in *Spycatcher*]—much of it derived from, and some of it directly attributed to 'insiders'—which because of the British Government's acquiescence or inaction, has already been made available, the claim now that the republication of such information at the hands of an 'insider' will cause detriment sounds decidedly hollow…" More rejections of the Thatcher government's position followed in Powell's ruling. "As the day wore on," Tate notes, "it was clear that the British Government was receiving a historic judicial spanking." (277, 281)

Undeterred, the Prime Minister had her Attorney General seek to enjoin three prominent British newspapers from publishing details from Wright's book (two other newspapers had already been similar prohibited from reporting on it and the trial) and to curtail publicity about it and the Australian proceedings in the Hong Kong and New Zealand press. Appeals, counterappeals, and other of the government's legal maneuvers eventually lost it the backing of the Tory press. The *Times of London* told its readers that "No-one except Britain's enemies can take comfort from the sight of Mr. Peter Wright growing in international respectability…as his governmental pursuers fall over their own feet in embarrassment and failure." (309)

The Law Lords, Britain's highest judicial body, ended *Spycatcher*'s legal travails in October 1988. After upbraiding Wright for "heinous treachery" and a "flagrant breach of [his] duty of confidence," they declared that "It seems…to be an absurd state of affairs that copies of the book…should now be widely circulating in this country, and that at the same time other sales should be restrained. This simply does not make sense.…[We] do not see why anybody in this country who wants to read it should be prevented from doing so." (314) Further consequences to 10 Downing Street soon followed. Injunctions and contempt of court proceedings against some British newspapers were either lifted or rendered nugatory. In November, the Queen's Speech—the traditional opening of a new Parliament—included the announcement that MI5 would be given legal standing for the first time in its history. In addition, a new Official Secrets Act relaxed government secrecy strictures and provided a public-interest defense for whistleblowers, although the intelligence and security services were exempted from that provision. Lastly, the Intelligence Services Act of 1994 finally acknowledged the existence of MI6 and brought it, MI5, and the SIGINT service GCHQ under parliamentary control. A senior executive from Wright's Australian publisher later concisely summed up the whole fiasco: "Everything the British government was ostensibly trying to do, it achieved the opposite." (317)

Tate's book makes easy reading, as he has the documentarian's narrative flair for clear prose and teasers and grabbers to close and open successive chapters. His sympathies clearly lie with Wright, whom he too often calls "the old spycatcher," while no one in Thatcherite officialdom evades his sharp pen. Sometimes he overdoes it, as when newspapers and judges "thunder" and "growl." For material about MI5, he frequently relies on Christopher Andrew's official history, published in the United States in 2009 as *Defend the Realm: The Authorized History of MI5*, but Andrew never cites specific MI5 documents, referencing only "Security Service Archives," so Tate's readers cannot independently evaluate some of his sources. Also, he too often uses Wright's memoir as his sole direct source about the service's activities. Tate has uncovered a wealth of documentation, much of it only recently declassified, but in his Epilogue and Acknowlegments he is unsparing in his criticism of British records-management officials and practices.

To Catch a Spy should resonate with information management officers in the US Intelligence Community today because it describes a conundrum they wrestle with constantly when reviewing current and former officers' writings and statements: how to evaluate the national security implications of information that is known to the public. The *Spycatcher* affair, so well recounted in Tate's book, offers observations and insights for those who labor in this arena. ■