



10 DOWNING STREET
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27 January 2016

THE PRIME MINISTER

Dear Anwar,

I said that I would write to the Committee about a number of issues raised with me during my appearance on 12 January.

Reyaad Khan

Harriet Harman asked if I would agree to her suggestion that the Government “set down in writing and publish the policy about targeted killing by drones” (question 27).

The Government does not have a targeted killing policy. If there is a direct threat to the UK and we are only able to stop it through military action then, as I have made clear, I am prepared to take that action. I am not prepared to let a terrorist plot materialise into an actual armed attack against the UK if the Government has lawful means to prevent it.

During my Statement to the Commons on 25 September on this, I set out the legal base and process followed for this decision. There was also a full opportunity for Members of Parliament to ask questions and scrutinise the decision.

Remotely piloted aircraft operate under the same legal basis and rules of engagement as all our other weapons systems in Iraq and Syria, and decision makers have clear Rules of Engagement and operational directives which govern their operation. The Government has recently set out the legal basis and operational framework in a Memorandum to the Joint Committee on Human Rights.

You asked about the release of information by the Government to the Intelligence and Security Committee (ISC) for its review of the military strike which targeted Reyaad Khan (question 41).

As I have said previously, I have discussed the scope of the ISC Inquiry with its Chairman and we have reached agreement on the disclosure of material to the ISC that will enable it to conduct a robust review of the threat posed by Reyaad Khan. The ISC has received contemporaneous intelligence assessments of Khan and will take further evidence in the coming weeks.

Dominic Grieve has also written to Harriet Harman, in her role as Chair of the Joint Committee on Human Rights, to set out the ISC's views. This has been published on the ISC's website. His letter makes clear that the ISC's remit is intelligence, not military action.

Syrian refugees – community sponsorship scheme

Keith Vaz asked about ensuring that procedures are in place to make it easier for individuals and organisations to support refugees directly. He specifically referred to the Archbishop of Canterbury (question 48).

We have previously announced that we would build on offers of support to develop a community sponsorship scheme to allow individuals, charities, faith groups, churches and businesses to offer support for refugees being resettled under this scheme. Officials are currently working with those individuals and groups who have made offers on developing a sustainable model for helping vulnerable people settle and integrate in the UK and, where they are able, to find employment.

I have been informed that discussions are currently taking place with the Church of England which has prepared accommodation in the grounds of Lambeth Palace, and also the local authority, about what needs to happen before a family arrives.

Bail conditions

Keith Vaz raised the question of police powers, in particular the ability to seize passports, when a terrorist suspect is bailed (question 53).

The potential travel risk is always actively considered by the police before bailing anyone in connection with terrorism. I can reassure the Committee that there is a clear presumption in place that an individual suspected of terrorism offences who is released on police bail will be added to our border Warnings Index.

Since 2014, the Government has systematically tightened up the law wherever possible to ensure that we have robust counter-terrorism powers: through stronger deprivation of citizenship powers in 2014; passport seizure and relocation powers in the Counter-Terrorism Act 2015; and, of course, introducing the draft Investigatory Powers Bill. The Government is examining how we can strengthen police bail further in relation to terrorism cases, and we will, of course, keep the Chair of the Home Affairs Select Committee updated in the normal way.

RAF airstrikes in Iraq

Angus MacNeil raised claims that “the Ministry of Defence is refusing to investigate claims from independent monitoring groups that British airstrikes have directly resulted in the deaths of between 72 and 81 civilians in Iraq” (question 75).

All UK strike missions undergo a thorough post-operation review. If we have any reason to believe that civilian casualties had resulted from UK operations we would conduct a full investigation in conjunction with Coalition authorities. Contrary to the Sunday Herald claim that the Ministry of Defence “will not investigate reports of deaths on the ground in Syria and Iraq – from anyone but UK military personnel, and ‘local forces’ deemed friendly”, it will investigate all credible allegations of civilian casualties.

I have been informed that in a letter to the Secretary of State for Defence, the Director of the so-called “monitoring” organisation, “Airwars”, Chris Woods, suggests that “88 non-combatants appear to have been killed in Coalition actions in December alone”, but that he has produced no evidence of UK involvement in those incidents, nor even of any claim from those reporting these alleged incidents of UK involvement.

The Ministry of Defence has carried out additional investigation into the alleged incidents referred to by “Airwars” and has found no evidence of any UK involvement in them.

Flooding

Neil Parish asked about flood risk management (question 96).

The Environment Agency has a strategic overview role in flood and coastal erosion risk management. We are spending £2.3 billion of capital investment to help our most at-risk communities over the next six years and we are protecting our maintenance spending in real terms over the Parliament.

Partnership working is a key part of flood risk management. The Somerset Rivers Authority, for example, was established to give local people more control and power over flood risk. We have confirmed that they will be able to raise extra funding via a shadow precept from April 2016. The new Cumbria Floods Partnership will bring together local expertise so we can reduce the risk of future flooding in Cumbria.

We support the important work that internal drainage boards do to manage water levels, reduce flood risk for local communities and enhance valuable wildlife habitats. Internal drainage boards can do work on behalf of the Environment Agency through public sector cooperation agreements. There are now 40 public sector cooperation agreements in place and another 27 agreed in principle. We want to do more to give internal drainage boards and other local groups the power to maintain their watercourses. Subject to parliamentary approval, we will also allow farmers across the country to maintain ditches up to 1.5 km long from April, so that they can dredge and clear debris to stop their land getting waterlogged.

Osmotherly Rules

Finally you asked about the request from the Foreign Affairs Select Committee and the Treasury Select Committee to hear evidence from a civil servant, Iain Mansfield (question 106).

As I said in my answer, the Osmotherly Rules are clear that when officials appear before select committees they do so “not in a personal capacity, but as representatives of their Ministers”. For them to do otherwise would, as the Rules state, undermine their political impartiality. Impartiality is one of the key standards of behaviour required of civil servants under the Civil Service Code. The Rules are clear that they should be read in conjunction with the Code.

Given these considerations it would be difficult for an individual to attend such a session while also upholding these obligations.

I am copying this letter to the Rt Hon Harriet Harman QC MP, the Rt Hon Keith Vaz MP, Angus MacNeil MP, Neil Parish MP and Crispin Blunt MP.

Yours,
David

The Right Honourable Andrew Tyrie MP