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3 wk December 2015

Den Harriet,

Thank you for your letters regarding your Committee's intention to conduct an inquiry following the RAF air strike targeting Reyaad Khan on 21 August. I would like to apologise sincerely for the delay in responding.

This Government takes the need for Parliamentary scrutiny very seriously and we wish to support your efforts as far as we are able. To this end, I am pleased to enclose a memorandum in response to the questions raised in your letter. The subject of your review very quickly begins to encroach into some highly classified, national security sensitive issues. Whilst we can seek to avoid that risk by focusing on overarching policies as you suggest, there will remain some necessary restrictions on the information and evidence we are able to supply in order to protect national security.

You asked who would be available for oral evidence and the Foreign Secretary, Attorney General and I are pleased to confirm that I will be available to represent the Government's position on 16 December. I will endeavour, subject to the restrictions I have explained above, to answer any questions on the policy and legal frameworks that govern the employment of military force.

You also asked for Government legal advisers to give oral evidence to the Committee, acknowledging in your letter the importance of Legal Professional Privilege. We are not able to agree to this. Allowing them to give evidence could only undermine this important principle. There are also personal security concerns for individuals who might be called. The same security considerations apply to military personnel or senior officials engaged in this work and as such, we have decided that they should not appear. I will do my utmost to answer your questions on behalf of the Government in their place as fully as possible.

You also asked to visit RAF Waddington. I am, of course, happy for you to do so, and am pleased that you are visiting today. The visit is an excellent opportunity for the RAF to demonstrate the professionalism of the crew who operate our Reaper Remotely Piloted Air Systems and highlight the rigid command structure that ensures proper oversight of operations.

Rt Hon Harriet Harman MP
Chair, Joint Committee on Human Rights

I look forward to appearing before the Committee on 16 December.

*Zusammen
Michael*

THE RT HON MICHAEL FALLON MP