



Joint Committee on Human Rights

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From Rt Hon Harriet Harman MP, Chair

Rt Hon Michael Fallon MP
Secretary of State for Defence
Ministry of Defence
Whitehall
London SW1A 2HB

7 December 2015

Dear Michael,

The Government's Policy on the Use of Drones for Targeted Killing

Thank you for your letter of 3 December and for agreeing to give evidence to the Committee on Wednesday 16 December.

Thanks also to your Department for facilitating the Committee's visit to RAF Waddington which took place last Thursday 3 December. We were very well looked after there by Group Captain Suraya Marshall and Squadron Leader Col Redican. They had thought carefully in advance about how to make our visit useful and took a lot of time to answer our questions. We were indeed impressed by the professionalism of the crew we met and we learnt a lot about some important matters which are central to our inquiry, including the nature of the decision making process and some of the oversight and supervision that is built into it. We are very grateful to them for making the visit so informative for us.

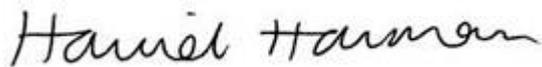
I am sorry that I cannot say the same about the Memorandum that you have sent the Committee. You say that this has been sent in response to the questions raised in our letter, and the Memorandum asserts that the Government will continue to take all reasonable steps to co-operate in the spirit of transparency and openness, but it does not even begin to answer any of the detailed questions we asked in the Annex to our letter. There is nothing in the Memorandum which has not already been publicly stated by ministers in other places.

Our function as a select committee is to give careful and detailed scrutiny to Government policy which has significant implications for human rights, and we cannot fulfil that function if the Government refuses to engage with the detailed questions we ask. **The Committee would therefore like to ask for a further memorandum addressing each of the questions we asked in our letter, and, if any cannot be answered, explaining why. It would be helpful to receive this**

further memorandum in time for the Committee to give it proper consideration before you give evidence on 16 December and we would therefore ask that you provide it to us by Friday 11 December. Your officials will by then have had more than five weeks to answer the questions we asked in our letter of 4 November.

The Committee is also disappointed by your refusal to allow the relevant Government lawyers to appear before the Committee. There are many questions about the availability of legal advice in the decision-making process that are central to our inquiry and, while the Committee fully respects the Government's right to legal professional privilege, it would still like the opportunity to explore some of these questions with a Government legal adviser with relevant knowledge of the process. **The Committee would therefore like to ask that you be accompanied by the MoD's Legal Adviser when you give evidence to us on 16 December.**

Yours sincerely,

A handwritten signature in black ink that reads "Harriet Harman". The signature is written in a cursive, flowing style.

Rt Hon Harriet Harman
Chair of the Joint Committee on Human Rights

Cc: Attorney General
Foreign Secretary