



and confirmation that any previously given evidence upon which he continues to rely remains true. This is a duty of continuing scrutiny upon him.

5. The SSHD filed updated generic open and closed material and updated open and closed individual material in the case of each person certified. He also provided written submissions. As we have said we received nothing from any of the persons certified.
6. As the Rules envisage we considered the reviews in each case on paper, reading or re-reading the earlier open and closed generic and individual determinations and the updated material. We are producing our decision in the form of an open and closed generic judgment, which will be updates to the first generic judgment and will form part of the overall individual judgment, and individual open and closed judgments. This repeats the format adopted for the appeals.
7. We start our consideration of the material on the basis that it is not our task, and could not be, to consider whether or not the earlier judgments on the material before the Commission were correct on the merits. We have to examine the new material to see if it, together with the earlier material as analysed in the judgments, shows there to be a continuing basis for maintaining the certificate, or whether there is significant new material showing either that those earlier conclusions were wrong or that circumstances have changed so that now the certificate should not be maintained.
8. The updated open generic material, as we explain in the first review update to the open generic judgment, continues to show that there is a direct terrorist threat to the United Kingdom from a group or groups of largely North African Islamic extremists, linked in various ways to Al Qaeda.
9. G was released on bail on 22 April 2004 on strict conditions, which amount to house arrest with further controls. But in granting bail, the Commission did not revise its view as to the strength of the grounds for believing that he was an international terrorist and a threat to national security. The threat could be managed proportionately in his case in view of his severe mental illness. That however is no reason to cancel the Certificate. There might be circumstances in which he breaches the terms of his bail or for other reasons it was necessary to revoke it. The need for the certificate to continue must depend on whether the terms of the statute and of the derogation continue to be met.
10. A number of his contacts remain at large including some who are regarded as actively involved in terrorist planning. There is nothing to suggest that his mental illness has diminished his commitment to the extremist Islamic cause; he has the experience and capacity to involve himself once more in extremist activity. The bail restraints on him are essential; those are imposed pursuant to his certification and the SIAC dismissal of his appeal against it. The certificate is properly maintained.

MR JUSTICE OUSELEY

CHAIRMAN