

**Ruling on the admission of the photograph of Andrew Mark Brookes in the gymnasium**

1. The sole issue is whether the photograph of Andrew Brookes in the gymnasium with a bin liner over his head should be admitted in evidence.
2. I have now read the submissions as Mr Mansfield requested. They appear to have been advanced on the basis that the evidence regarding the bin liner was not to be adduced at all. It has been in some detail in the agreed admission. The only issue is whether in my discretion the photograph should additionally be put in.
3. In my view it is unnecessary to put in evidence what is a distressing photograph. What has been agreed is sufficient. The photograph adds nothing of substance.

John Goldring  
29 September 2015