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IN THE HIGH COURT OF NEW ZEALAND
CHRISTCHURCH REGISTRY

No. A312/83

rehearsal & performance times

BETWEEN

THE ARTS CENTRE OF CHRISTCHURCH TRUST BOARD duly incorporated under the Charitable Trusts Act 1957

noting at some time otherwise seems impossible

Plaintiff

AND

FREE THEATRE INCORPORATED duly incorporated under the Incorporated Societies Act 1908

rehearsal noise times

Defendant

I, PETER FRANZ SIGISMUND FALKENBERG of Christchurch Theatre Director make oath and say as follows:-

1. THAT since the inception of Free Theatre Incorporated - both before and since incorporation of it under the Incorporated Societies Act - I have been and continue now as the Theatre's Artistic Director.
2. THAT Free Theatre Incorporated grew out of the Canterbury University drama course and remains strongly associated with that course. As a sign of that I note the University of Canterbury gave Free Theatre Incorporated a \$8,000.00 grant on the understanding Free Theatre's activities would mesh with the Drama Course at the University.
3. THAT Free Theatre is therefore committed to the aim of providing an experimental Theatre laboratory and a training and drama performance venue for the University of Canterbury drama course students. Already two such students who gained experience with Free Theatre are now professional actors with the Court Theatre
4. THAT without the opportunity to stage live performances the whole undertaking of Free Theatre rapidly loses relevance for students and teachers alike.
5. THAT in the main it is only possible on a financial and public attendance basis to stage live performances at night time.
6. THAT indirectly through the Supervisor of the Arts Employment Scheme Free Theatre has taken on and is responsible for a Project Employment Programme with the Department of Labour for 8 employees

who are engaged with the Theatre from May 1983 to November 1983. The Theatre undertook to acquaint these employees with drama production and performance methods and an essential dimension of that programme is frequent performance and exposure to real audience reactions.

7. THAT unless the 8 Project Employment people referred to are given the experience promised by the Theatre our chances of arranging another such programme may be limited

8. THAT the following Schedule of intended productions for the 1983 year shows the effect restricted hours of operation has had so far since April of this year and provides an indication of what can be expected if restricted hours or closure is continued.

<u>Intended</u>	<u>Resulting</u>
(a) Yoffepract: 2 weeks beginning June 7	4 days - short season
(b) Kabelette: 2 weeks beginning June 27	6 days - short season
(c) Leonce & Lena: 2 weeks in August	2 months late
(d) Red Ryder: 2 weeks in October	Cancelled
(e) Peotry & Music: 1 week in November	1 month late / in the balance
(f) Bookings to outside groups	All cancelled

9. THAT for me as Director working over the last month has of course been a real impossibility with broken rehearsal sessions and on enlarged production date in addition to the uncertainty the threat of another shut down has posed.

10. THAT I am concerned unless the present production can proceed the Theatre will virtually have to start again from square one to build back to the momentum it had previously developed. There will be the obvious financial ramifications referred to in the Affidavit by the Theatre's Business Manager Neil ARthur Williams also filed in reply.

SWORN by PETER FRANZ SIGISMUND
FALKENBERG at Christchurch this
day of 1983 before
me:

A Solicitor of the High Court of New Zealand
A Deputy Registrar of the High Court of New Zealand

BETWEEN THE ARTS CENTRE OF
CHRISTCHURCH TRUST BOARD
duly incorporated under
the Charitable Trusts Act
1957

Plaintiff

AND FREE THEATRE INCORPORATED
duly incorporated under the
Incorporated Societies Act
1908

Defendant

AFFIDAVIT IN REPLY BY PETER FRANZ
SIGISMUND FALKENBERG ON BEHALF OF
THE DEFENDANT

P.N. DYHRBERG
SOLICITOR
CHRISTCHURCH.