

TELLING TALES OUT OF SCHOOL

Chris Lowe and friends

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The Play's the Thing

School plays, school musicals, school choirs, school orchestras, school clubs – they all play an important part in the diurnal school roundabout. But none gives as much opportunity for unintentional humour than the school Nativity Play. The following piece was written for a company offering advice to schools on compliance with the law – as will become obvious.

It is well known that parents can be easily aggrieved and even litigious when schools seem to err. But a new feature was evident recently at Much Knowing primary school where its precocious pupils have become aware of the endless and profitable possibilities of litigation.

They found fertile ground in the annual nativity play.

The first sign of impending trouble came after the Head's announcement at morning assembly that Simeon would not be continuing with the part of the Archangel Gabriel because extorting sweets from Year 3 pupils for unspecified angelic favours was unseasonably naughty.

Simeon waited just one day before delivering his solicitor parents' brief letter suggesting that either Simeon was re-instated - or the question of substantial damages for defamation might have to be explored.

At this point the Head took sick leave.

The music teacher was left in sole charge of the production. At the next rehearsal Delilah (aged 9) broke into uncontrollable tears when told that she could certainly not play one of the Three Kings, as they were boys' parts. In between sobs she managed to indicate her intricate knowledge of the scope of Part 6 of the *Equality Act 2010*.

Her suggestion that the dressing gowns worn by the kings could equally well be worn by girls was considered highly plausible. So, Shane now became ex-King Balthasar and consigned to the back row of the choir of angels, where he demonstrated his disgruntlement by flicking star dust all over the front-of-stage flock of sheep and the attendant shepherds. In this he was aided by shepherd Wayne, who considered the role to be 'cissy'. He had purloined the make-up box 'for added interest', he pleaded, and had already been prevented from branding the Year 2 sheep with red and black stars.

However, Wayne and Shane's dastardly act was spotted from the back of the hall by the Head who had now been restored to health by a large slug of yellowish liquid kept for medicinal purposes in his desk drawer. He rushed forward, grabbed hold of both boys and cuffed them about ears. 'Only gently,' he claimed at his subsequent disciplinary hearing, following complaints by Wayne who was the most aggrieved of the two.

Shane considered he had a better chance of success and financial reward under the *Abolition of Corporal Punishment Act 1997* which makes corporal punishment a criminal offence with the enticement of potential civil litigation on the back of it. The case is pending but the Head is relying on the defence that his actions prevented a greater hurt. He is not hopeful.

The calm that descended at this point was shattered by a dreadful scream from the front end of the donkey. Eponymous Joseph, feeling bored with the inactivity at his end of the stable, had shoved a

candle from the crib up the backside of the animal. Rear-end Darren leapt in the air causing front-end Erasmus to fall off the stage, dragging the rear end with him. Both suffered cuts and bruises.

The writ when it arrived mentioned the *Health and Safety Act*, the *Occupiers Liability Act* and '*in loco parentis*', citing the school for negligence in not taking into account the propensities of small boys to do unmentionable things with attractive lethal objects.

The Head returned to sick leave.

But in the end, as these things are wont to do, the actual performance for parents passed by peacefully and to great acclaim, amassing a large amount for the school fund from ticket sales, complete with a glass of mulled wine (provided by the PTA). The photographs in the local newspaper were pleasing too. The Head felt she was entitled to a welcome Christmas break.

It was a week after the end of term when she opened a further letter from Simeon's parents regretting that she had not asked them whether they consented to an image of their Simeon appearing in the newspaper and enquiring (as a matter of interest) whether the school had a licence under the *Licensing Act 2003* for charging for entrance tickets accompanied by alcohol.

She felt justified in passing that one to the trustees. But on Christmas Eve she received another letter, this time from the publishers of the carols pointing out the huge compensation they might be seeking, if she could not adequately explain the school's failure to obtain their permission for the performance of their carols, and for breach of copyright.

She went off sick again.
