DONMAR



## THE SAME DEEP WATER AS ME

A NEW PLAY BY NICK PAYNE

Written by Dominic Francis Edited by Sam Maynard Rehearsal and Production Photography by Johan Persson

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## Introduction

Welcome to this Behind the Scenes guide to Nick Payne's timely new play THE SAME DEEP WATER AS ME at the Donmar Warehouse. In the following pages you will find a wealth of information designed to give you a closer look at the process of bringing this production from page to stage.

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This guide aims to set the play and production in context through conversations with members of the cast and creative team. It includes interviews with the author Nick Payne, actor Peter Forbes – who plays Guy and Judge Jessup – and an insight into the work of Lighting Designer Peter Mumford. There are also extracts from the Rehearsal Diary of Oonagh Murphy, the Donmar's Resident Assistant Director, as well as practical exercises designed to further unlock the world of the play.

In addition, we've included a glossary of legal and economic terms used in the play and this guide.

In keeping with the style and tone of the play, the guide includes some strong language.

We hope that you find this guide interesting and informative. To view the Behind the Scenes guides for other productions, please visit www.donmarwarehouse.com/discover/resources.

#### **Dominic Francis**

#### Sam Maynard



## Section 1:

## Background to THE SAME DEEP WATER AS ME

Niky Wardley

## Never had it so bad: An introduction to THE SAME DEEP WATER AS ME

Kevin

## Everyone's battlin' it; fucking fiscal cliff, mate, and I'm hanging off the fucking edge.

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Double-dip recessions, austerity measures, housing slumps... In a reversal of former British Prime Minster Harold Macmillan's 1957 assessment of the UK economy, that 'most of our people have never had it so good', many British citizens today face greater financial hardship than at any time in the past fifty years.

'When people feel disenfranchised economically, I can see how they could feel pressurised into finding any other route to earn money,' comments writer Nick Payne. He explores this 'entrepreneurial spirit' in his new play THE SAME DEEP WATER AS ME, examining fraudulent insurance claims by focusing on 'groups of people who form collectives to make a decent living by putting in "No Win, No Fee" claims with some regularity'.

In the current political and economic climate, with MPs' pay and expenses back on the agenda, does the morality about how we earn money change? When does the embellishing of truth become a lie? THE SAME DEEP WATER AS ME exposes these contradictions and apparent hypocrisies in a cutting critique of David Cameron's 'Big Society'.

'It got me thinking about how endemic lying is,' Nick reflects. 'It seemed that people from all walks of life felt they weren't being rewarded adequately. Suddenly this ideology cut across classes and professions.' Despite being united in disaffection, the gap between rich and poor still appears to be widening, and with it a growing 'them and us' mentality – big business, multi-nationals and faceless corporations soon become the enemy.

Kevin

I'm not talking about old ladies and little kids. I'm talking about people who can afford it. Fucking delivery vans, all that lot. Supermarkets. Fucking tax dodgers.



Desperate times call for desperate measures, a common argument of people forced to defend extremes of behaviour, and as Nick explains: 'I have written a collective of characters who are obviously doing something wrong but who create a whole ideology to justify their actions.'

But the cost to society is more than just financial, suggests the play. It's a comment on a prevailing culture of consumerism, where assets are prized above attributes, in which the mobile phone you own or where you buy your coffee – Starbucks or Greggs – defines the person you are. In this world, personal beliefs, values and moral codes are of secondary importance.

Andrew

People whose lives're so fucking devoid of meaning, they end up tryina fill their houses with a load o'shit they don't even fucking need, let alone want, and all because they wanna feel significant. Fucking TV's and trainers and fucking five hundred quid bottles o'champagne. And the worse thing is: it isn't even their fault. Because 's everywhere.

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### The whole truth and nothing but the truth? Lies and litigation

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Jennifer's everywhere.GeorginaWhat is?JenniferThose adverts.GeorginaAdverts?JenniferYeah.GeorginaPersonal injury advertisements?JenniferYeah.

The lawsuit that chancer Kevin Needleman pursues in THE SAME DEEP WATER AS ME, aided by his reluctant wife Jennifer, is one that has become all too familiar over the past two decades. The last ten years have seen a 60% rise in what are called *personal injury claims*, leading to criticism by politicians and commentators alike of a growing 'compensation culture'. From accidents at work to injuries in the home, we live in an increasingly litigious society – a point made in the Counsel for Defence's closing address against Kevin:

Georgina What we have here, is yet another ordinary, humble, hard-working family unnaturally galvanised by the ever-growing, ever-parasitic culture of no-winno-fee.

'No Win, No Fee' is a *conditional fee* arrangement made between a law firm and a client, in which a solicitor takes on a case with the understanding that if it's lost no fee is due. If a case is won, however, then the firm can expect additional fees, as solicitor Andrew Eagleman explains to Kevin in their first meeting:

Andrew

If we pursue your claim on a no-win-no-fee basis, Kevin, if your claim is then successful, myself and Barry would simply expect to receive our standard fee. And then on top of our standard fee, we would also expect to receive what we call an uplift or success fee.

No Win, No Fee arrangements have been widely criticised for contributing to a culture in which a growing number of people feel entitled to be compensated for any wrong or setback they experience. No Win, No Fee provides a relatively low-risk way of allowing people to pursue such claims. Despite a fall in the overall number of road traffic accidents in recent years, the number of claims for whiplash injuries has risen by 25% in the past four years alone, which has been widely interpreted as evidence of this developing compensation culture.

#### Georgina Was it following one of these 'adverts' that it occurred to yourself and Mr Needleman that you might be on to a winner?

Successive governments and regulation bodies have suggested, however, that the public perception of a compensation culture is in fact misplaced. A 2004 government report stated:

'The Government is determined to scotch any suggestion of a developing "compensation culture" where people believe that they can seek compensation for any misfortune that befalls them, even if no-one else is to blame. This misperception undermines personal responsibility and respect for the law and creates unnecessary burdens through an exaggerated fear of litigation.'

Critics of this misperception suggest it's largely an urban myth fuelled by sensationalist media coverage of a small number of cases. The Better Regulation Council agrees, but adds a warning: 'The compensation culture is a myth; but the cost of this belief is very real.' <sup>1</sup>

<sup>1</sup> Better Routes to Redress – Better Regulation Task Force – London: Cabinet Office Publications & Publicity Team (May 2004)`



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In THE SAME DEEP WATER AS ME, the cost of this myth of a compensation culture becomes all too apparent:

Kevin

#### I've got this mate Dave and he knows everything there is to know about car crashes. He knows how to orchestrate em, he knows how to fake em and he knows how to make em up. He's got this whole network of people.

'Cash for Crash' schemes, such as the one Kevin proposes, have become increasingly prevalent in recent years. A number of criminal networks that have fraudulently claimed for hundreds of faked crashes have been uncovered. One estimate puts the cost to insurers of such scams at over £1 billion per year.

Despite widespread criticism of No Win, No Fee, there are, however, some benefits. Chiefly, conditional fees allow access to the courts for those members of society who can't afford to pay a solicitor and the costs of civil litigation. They also provide a powerful incentive for solicitors to work diligently on their client's behalf, to ensure a successful outcome and – critically – payment. As the law firms assume the financial risk of litigation, it could also be argued that the number of speculative cases are reduced.

No Win, No Fee does not, however, guarantee access to the courts and justice. Solicitors will be selective of the cases they take on, choosing claims that are most likely to succeed. It's also argued that lawsuits agreed on a conditional fee basis may encourage the mistaken belief that such cases are risk-free, which Andrew's senior partner Barry Paterson is quick to warn Kevin against:

Barry

#### If your claim is unsuccessful, then yourself and Jennifer will be liable for the entirety of the defence's fees. Cost of counsel, loss of earnings, any expert witnesses, etcetera, etcetera.

The compensation culture, real or imagined, is slowly beginning to change. New legislation passed in April 2013 makes it harder for personal injury claims to be made, and less financially rewarding for claimants and solicitors alike. Though No Win, No Fee arrangements will undoubtedly continue, it's hoped that the new rules will reduce the number of exaggerated or false claims. Critics, however, fear that ordinary people might find their access to justice restricted by these new regulations.

## Section 2:

The Donmar's Production

Marc Wooton

### **Cast and Creative Team**

Cast (in order of speaking)



Barry Paterson Nigel Lindsay



Jennifer Needleman Niky Wardley



Terri / Attendant Joanna Griffin



Kevin Needleman Marc Wooton



Andrew Eagleman Daniel Mays



Isabella Reynolds Isabella Laughland



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Guy Haines/ Judge Jessup **Peter Forbes** 



Anne Gunn / Georgina Burns Monica Dolan

Production

Director Designer Lighting Designer Sound Designer Casting Director John Crowley Scott Pask Peter Mumford Christopher Shutt Alastair Coomer CDG

## Rehearsal Diary

John also sets the cast the task of creating character biographies as homework.

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We have a session with Josie's brother, Damian, who generously answers all of the legal-related questions we have compiled. Through his anecdotes and case studies we are able to plot out an understanding of how exactly a case like the one in the play would happen - from the exact timescale, through the attitudes of the persona involved, to the likelihood of a similar verdict in real life. A striking point that Damian makes is that, for the most part, judges will find in favour of the claimant - the person who's claim is being contested by the insurance company. 'Judges don't like to think that people lie that much."

Later in the week we begin working through the play from the top. This demands a closer study of the narrative's events – things that happen which shape the action, changing what each actor is playing. It is during this work that Nick joins us. As a presence in the room he is encouraging and inclusive, offering only opinions on how the play might work. We work on the final scene at the end of our first week and he tells us how the final story the protagonist tells about having an accident as a child, and being comforted by his father, is based on a similar thing that happened to him. The actor playing the part is excited, telling us a similar thing also happened to him. It is an example of the great expansiveness of his writing - that a single, idiosyncratic image can resonate loudly for many people. John brings our attention back to a certain line, a repetition in the text. They work the scene once more, teasing out the truthfulness, and for a moment. at five minutes to six on a Friday evening, there is an electricity that hangs in air.

Resident Assistant Director Oonagh Murphy's Rehearsal Diary



**Solution Sector Sector**

The 'Meet and Greet' on the first day is presided over by Artistic Director Josie Rourke, who describes to us how she came to produce this play. Nick and Josie worked together when she was Artistic Director of the Bush Theatre. A fortuitous meeting between the playwright and Josie's brother, a solicitor for a law firm dealing in insurance fraud litigation led to the development of this new play, commissioned by the Donmar. Josie explains how producing a show like this challenges the received wisdom that the Donmar isn't a stage on which we watch 'someone make a cup of tea'. It's an idea she strongly disagrees with and certainly one which the set design for TSDWAM disproves quite comprehensively.

Director John Crowley and his longtime collaborator, Scott Pask, have created a design which negotiates how to bring two contemporary and arguably quite ugly, or at least banal, environments into the Donmar space. The findings of a research trip to Luton, to 'No Win, No Fee' solicitors' offices there and to Luton County Court, is evident in their filmic attention to detail – from the texture of the synthetic textiles to the bucket catching drops of rain throughout the play. This is a set designed to encourage a particular poetic realism so that the real emotional truth which drives Nick's play can become manifest.

Without Nick present for most of week one we set about our work at the table. We read the play, John encouraging discussion but focusing the work within certain parameters. The cast make lists of facts and questions about immediate circumstances and the prehistory of the play. This facilitates a forensic examination of the big details about plot and character. The logistics of the 'Cash for Crash' scam requires working through and we plot a timeline of events, collating any questions as an appendix. We sift through the play, scene by scene, only moving on once we are satisfied that we have noted all given facts and listed any obscurities. If any of the questions may be answered with further research we find it.



he work in week two continues with the task of breaking the play down into sizeable chunks of action. Around the table we read the scenes, making suggestions as to where the key events are. Tracking through this way maps out an agreed course of main narrative action. The actors discuss their perception of the events that happen in the prehistory of the play and those that happen in between scenes. Where there is dissonance, John leads the actors to agreement. For example, Marc and Nicky negotiate their shared past as a married couple so that they will be working from the same place as they plot their interactions in the play.

Alongside this work we compile more detailed material on the world of the play – pop culture references, Luton trivia and stories of real life insurance scams. We log the material on the rehearsal room wall and make further reading available to the cast.

Midweek, John asks the company to present the work they have done on their character biographies. The detail of the lives they have constructed based on Nick's text, coupled with the conversations John has facilitated, is tremendous. John notes that the creation of biographical accounts is often an exercise in actors' abilities to create rich and idiosyncratic character profiles, which frequently have very little effect on, or relationship to, their behaviour when we observe them in the course of the drama. Yet in this case the cast have compiled cleverly conceived shards, which offer us snippets of lives - points that are at the interface between what is dreamt up and what is playable. The work is both archaeological and imaginative in how it gives insight into internal worlds.

What is noticeable is how sad these lives are. This is a real reflection of Nick's writing. This is a play which has one hand in either pole – the What is noticeable is how sad these lives are. This is a real reflection of Nick's writing. This is a play which has one hand in either pole - the comedy suffuses the action with real empathy and pathos. comedy suffuses the action with real empathy and pathos.

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At the end of the week we take time out of beginning to block scenes to make a trip to Luton. Our itinerary is based on our research work. We take on the roundabout where Kevin and Andrew plan one of the bogus crashes, the tower of flats where Terri lives, a claims solicitor offices in the centre of town, Luton County Court and the Arndale Centre where the Greggs bakery is.

The trip helps to root our work in the real setting of the action. It means that conversations can move from being speculative and hypothetical to addressing the actual landscape of these characters' lives. Mapping out such shared knowledge will undoubtedly strengthen this play, where so much oscillates around concealment and conjecture. The play's ability to function on many levels will ensure that it won't wear down with time and that the company will continue to find detail in moments as we go forward in the coming weeks.



eflecting on week three of rehearsals, what emerges is a clear picture of John's process. He is leading the cast through the work with nerve and patience. Nothing is rushed. We spend half a day on one scene, which allows the actors time to feel their way into the action. At the beginning the work is like semaphore - stretched and expressive. The actors tend to play all the moments, but by degrees. Through a process of pulling back the action becomes more nuanced, defined by what the characters choose to reveal or conceal.

Nick reads us a quote from David Mamet, which he bore in mind while writing TSDWAM:

WEEK 2

THREE

'All drama is about lies. All drama is about something that's hidden. A drama starts because a situation becomes imbalanced by a lie... At the end of a play the lie is revealed. The better the play the more surprising and inevitable the lie is. Aristotle told us this.'

The idea that this play moves from multiple lies to one truth fuels how John guides the scene work. He makes subtle suggestions, discusses possible shifts, highlights important events. He helps the actors to clarify their motivations at any given moment for example, in the second scene, Kevin persuades Andrew to come onboard with his car crash scam. John talks about this as a seduction scene, a Faustian pact that requires Danny Mays to play two opposing actions in duality. Plotting through the scene beat by beat, the twists and turns make themselves clear. The actors have unlocked the emotional truth of the scene. Going forward, they now have the right ingredients to play and the scene's development will be about finding the balance of each when performing.

For now it's important that other staging factors remain secondary to such work. The actors are not to worry about sightlines, for example, but rather to give consideration to how moments can be focused and paced. In this way the story emerges through the actors' bodies in the space in a way that doesn't split attention in the room.

Often the play functions in a register of heightened speech, like Pinter or Mamet. The text works like everyday speech once people know what they are saying and why. Real exchanges of language are very pleasurable in this way and when the play sings it really sings.

We have a session with Fight Director Kombat Kate to begin sketching how the fight will work. Nick has written a fight that seeks to be hyper-real, messy and feral. Kate works with Danny and Marc towards something choreographed that the audience will believe. With little masking onstage, she makes use of charges across the space, struggles and noise. What is important to Nick is not to

aestheticise the violence. In one session we have a very strong first draft of the work.

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We are also joined by Dialect Coach Charmian Hoare. She sits in on a session and listens to where the cast are with the Luton dialect. She responds with enthusiasm, telling them that they have really activated the muscularity of the accent, which is really old London - developed when the Londoners came out to work at the Vauxhall factory in Luton. She remarks upon the playfulness of the accent. She talks about how the actors are utilising the performativity. When characters choose to use their consonant sounds, when they decide to annunciate and when they are looser with the accent, what that says about the company they are in and perceived status.

The cast have really got a handle on the text by the end of this week. John can work in detail on sections, identifying where it needs greater precision and pace. Often the play functions in a register of heightened speech, like Pinter or Mamet. The text works like everyday speech once people know what they are saying and why. Real exchanges of language are very pleasurable in this way and when the play sings it really sings.

We find ourselves at the end of week three in a place where the actors are making

breakthroughs with scenes. John is wary of the law of diminishing returns in running scenes and discusses how we continue to allow the work to grow without striving for the original effect gained the first time we 'found' the scene. It's another example of how considered his method is and why working on this new play is proving to be a masterclass in how it's done.

he fourth week of rehearsals reveals more of the play's visual and aural textures. We begin to understand better how the play will operate in the space. Working with Chris Shutt, the Sound Designer, we collate a bank of songs for John to consider for a particular scene change. All of the songs on our long-list, tracks like 'Mo' Money Mo' Problems' and 'All About the Benjamins', could be the unofficial soundtrack to the play. The pursuit of material wealth, which is venerated in rap culture, is arguably the catalyst for the rise of No Win, No Fee cases. Someone compares Nick's dialogue to brilliant atonal music. The rhythm isn't always apparent, indeed its enigmatic pattern is what makes it particularly satiating.

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The play begins to visually tell the story of this culture. The setting for the first act is a down-at-heel solicitors' office. The space is crowded with paperwork, failing technology and cheap convenience food. There is nothing flashy or luxurious here - it is not a space marked by aspiration. The second act is set in the sterile, utilitarian world of the court. This acts as a bolster, a formal caesura in the play. For the most part objects here are not connected to the lifestyle or biography of the characters. Thus, details such as the difference between what the defence and claimants eat and drink at the beginning have significance. Greggs and Starbucks play in opposition to each other, telling us something about class and consumerism and the mental shortcuts we make based on where we buy our coffee.

WEEK

FOUR

Practical considerations as to how the play moves through these settings are discussed. Stage Management draft a concise plan of how each scene change will work. John describes how he would like them to look, that we should establish a visual language which is consistent throughout. Characters will be held in focus at the end of scene while Stage Management carry out the scene change. Much of the work will be set in technical rehearsals, playing with various



versions to figure out what works best.

We proceed with our close work on the play. At times the rehearsal room is broken into several small hubs of activity: two actors might be running lines with Mary the DSM, Nick may be distributing line changes, while John engages in deep-trawling with one of the actors involved in the scene at hand. When the work comes back together on the floor the scene may suddenly transform and begin to sing.

Someone compares Nick's dialogue to brilliant atonal music. The rhythm

isn't always apparent, indeed its enigmatic pattern is what makes it particularly satiating. Running the scenes at this point requires focus. It is about trusting in the moments which have been discovered and selected, and about tightening and focusing them. John reminds the actors to think on the line, to resist playing moments in singularity, to be wary of pauses unless scripted and to explore the place that pace occupies out of the comfort zone. It is with these notes in hand that the actors find themselves bearing witness to how the truth rushes in. eek five brings with it the routine of running the play in the morning session and working notes in the afternoon. The company display real focus as we work towards technical rehearsals. John encourages them to give themselves notes, to feedback their experience of each run and to suggest what they would like to work on in the afternoon.

Alongside this we continue to pay attention to the production as a premiere of a new play. Nick and John interrogate the overall shape of the play and how the story is being told. There may be small line changes or edits. Running allows us to see how each character plots their way through the course of the action, and so any changes are just about refining and distilling the storytelling to its finest consistency.

WEEK

The actors are at a stage where they have real command of the material. What is interesting to observe is how, at this particular point, they learn to navigate their fluency with the text in a characterful way. For example, they must resist allowing repetition to mould scenes that are working into something virtuosic but ultimately not live. They must figure out how to play characters who speak faster than they do. This isn't just about vocal dexterity, although technique is central. It is also about thinking on the line and about listening. Pace must always be about speed of thought, John reminds them.

Similarly it is critical that their ability to fully inhabit the world of this play, and the depth of emotional work which they have done, does not override the detail of the scenes themselves. This is a text about values rather than emotion. Emotional truth should accommodate the articulation of the plot, not replace it. The aim is to play a scene wholly with the head, rather than the heart. The actor must be mentally present to do so.

So the work is steady and rigorous. Stage Management introduce, incrementally, the actual elements that will be part of the final production – objects, sound, costume. The rehearsal room opens out as members of the creative team and Donmar staff come to share what the play is at this point. But the work of the company remains robustly focused, heeding the advice that at this stage of our process we might regard every breakthrough as 'three steps forward and one to the side'.

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At the end of a long and productive week, a tired but optimistic company take this note keenly from John before heading home to recharge, before our move into the theatre and technical rehearsals next week.



### A conversation with playwright Nick Payne

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Nick Payne's previous plays include Constellations (Royal Court Theatre, 2012), winner of the Evening Standard Theatre Award for Best Play, One Day When We Were Young (Paines Plough/Sheffield Theatres, 2011), Wanderlust (Royal Court, 2010) and If There Is I Haven't Found It Yet (Bush Theatre, 2009). He was awarded the 2009 George Devine Award for Most Promising Playwright.

## You visited a lot of courtrooms in your research for *The Same Deep Water As Me* and you've commented that much of real life is more entertaining than anything you could make up. Did a lot of the things you saw in court feed into your writing of the play?

Lots of the things I saw in the court I visited fed into the play. Boring, banal things, like the way people address each other and how they talk. So the language of the courtroom fed in. But then lots of bizarre, surreal things. There's a moment in the play where one of the characters is sending a text underneath the table and he thinks he's not been spotted by the judge. That happened on the trial I was sitting in on. The guy putting in this claim was basically lying – he said his whole family were in a crash and they weren't – and he started sending a text and the judge went mental, screaming at him. The guy said, 'Sorry, I was just trying to turn my phone off'. It was so crushingly obvious that wasn't what he was doing, I just couldn't believe it. It was intensely funny. I was sat at the back of the courtroom, where they sit witnesses, scribbling everything down.

Actually, lots of the language – specific turns of phrase – I completely stole from the trial. Phrases like 'money for old rope' I thought were brilliant. The solicitor who was working on behalf of the claimants, who were lying, gave an amazing speech about why people being cross-examined get things wrong, because human memory is fallible. It was all bullshit and I couldn't believe it. I thought it was funny. So that's all in the play.





### And you had conversations with a solicitor who detects fraudulent cases. Does talking to someone like that about their work make you lose faith in humanity?

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So I met [Donmar Artistic Director] Josie Rourke's brother, Damian, who's a solicitor who specialises in fraud detection. He talked me through what he does, and why and how he does what he does. I got from Damian a sense of optimism, because he really believes in what he does. The chase of what he does he really thrives on.

The characters in the play who are lying and staging car accidents are all bullshitting, but they're doing it out of a desperation, which in some ways I don't think is entirely of their own making. At various points my empathy shifts from person to person. I totally get why they're doing what they're doing, and I could understand why you would. In a way, the play's trying to think bigger than the people in it. They are foolish and make silly decisions and behave very badly, but I hope the play doesn't judge them for it.

## The play explores the complexity of that entire culture, of people feeling disgruntled with government and large corporations. In that way it might be considered a 'state-of-the-nation' play, but in another way it feels closer to sitcoms, like *Shameless* with its social commentary. Is there a sense that you use humour to talk about social issues?

I think the tone of the play, which mostly is comedic, came from what I learnt about that world of No Win, No Fee and solicitors. I didn't do masses of research, far from it, but the stuff I stumbled across I did find very silly. I found the court process quite silly. I thought, 'This is a bit farcical, everyone's taking it really seriously'. And of course they should, that's their job, but they were talking about whether it was three o'clock or four o'clock, whether he'd hurt his wrist or his neck or his arm.

When people were being cross-examined and were clearly lying it was palpable, the whole room was like, 'This is shit, I can't believe they're saying this'. I found it intensely funny. The humour, I hope, comes from the characters in it and is a sign of their desperation and need, what they want. I hope it's never me taking the piss out of them. It hopefully arises from the situation they find themselves in. It's just a way of tonally making sure the play doesn't get too earnest or too serious about the stuff it's trying to explore.

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### What has the process of beginning to work with the actors these past few weeks, rather than by yourself, been like?

It's always my favourite bit, working with actors. When it's just me at home sat on my own it's one brain trying to think about all the people in the play and inevitably there's loads of things I miss. I can't take control of everything and you make decisions based on instinct that might be wrong or inaccurate or inauthentic. So the amazing thing about when you get in a rehearsal room with all the actors is that suddenly you've got ten brains all looking at their individual bits and the whole.

I hope loads of stuff comes up and you find out what a scene might really be about. They ask really specific questions twinned with really broad questions and, in a weird way, I'm working out what the play is and what it's doing as much as they are. So I try to listen to what they're saying and, of course, if something's not working then it's got to be changed. And you get a sense of the rhythm of it.

### You were paired with the director John Crowley earlier this year. Can you talk a little about what your first meeting and conversation were like?

現代になっていていた

I first met John at the start of this year and we went to a teashop. Because there's a character in the play who drinks a lot of tea, John suggested we go to this amazing teashop. We had lovely tea and talked about the play. He's great, John. He's very precise and I feel he has a depth of understanding about the emotional lives of the characters that, to be honest, is well beyond my own understanding of them.

When we met he would pose questions to me. He would use the phrase, 'I have a thought for you...' And he'd just kind of give me these thoughts. Then, slowly but surely, right up to rehearsal I did two or three drafts with his thoughts, trying to bed them in. He really trusts the play and watching him work with actors he very kindly assumes the scene is working and it's about the best way to bring everything out. Whereas if something doesn't quite feel right, I would go: 'It's the play, it's the play. The play needs to change.' He's very cool at taking his time.

### In terms of your previous plays, does this one feel like it speaks to the others or goes in a very different direction?

I suppose it is quite consciously a different play to some of the other stuff I've written, in that it's not about a family. It's not domestic, it's set in a work place. There's a whole bit of it – the trial section – that I don't know anything about that I had to find out about. But you try and find the right form, or the right people, to inhabit the world you're interested in. It just seemed to me you want to make it about the solicitors and you want to see the courtroom, you want to be in the courtroom and you show all that.

And as the play escalates, in terms of the risk that they're getting into, the form of the play has to shift. So you end up in a courtroom with these people who are completely out of their depth and don't know what they're doing. So yeah, I suppose I wanted to write a workplace play and it is mostly populated by men who are lying.

#### What were some of your influences or cultural reference points?

*Glengarry Glenn Ross* by David Mamet I guess is an obvious one. It's a play I love – how when the pressure on the characters informs the language they're using. So in terms of the difference from my other plays, the intense pressure that these guys are under means they talk to each other in a really direct, almost flamboyant, playful way. So that play definitely influenced this one.

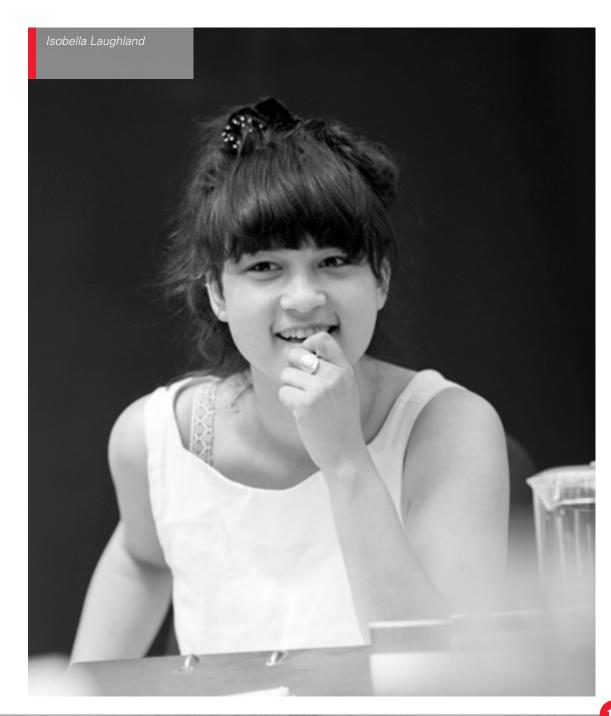
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I hope what it's not like... You know that scene you get in a lot of mainstream films where a character has told a lie for the whole film and there comes a moment where they give a speech, at which we the audience know their lie is going to get the better of them. They're talking through their speech and then suddenly they stop, tell the truth and everything's OK. My experience of lying is that you keep it up for as long as you possibly can. So there's a scene in the play where someone may or may not buckle under the weight of the lying and then they don't, they keep lying.



### A conversation with actor Peter Forbes, playing Guy and Judge Jessup

### You play two very contrasting characters in the production. Can you tell us a little about them?

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Guy is only in the one scene. He's recruited as one of the drivers in a staged accident. He's a mobile disco DJ and ex-mechanic, and that's about all we learn about him from the script. In the scene he comes over as being quite nervous, but he's open to the whole idea of the scam. I think he gradually becomes less sure-footed as the scene goes on because he doesn't feel he's in safe hands, in terms of who's running the scam. That's because during the scene Kevin and Andrew have a battle of wills over certain elements of the thing.

When I read the play for the first time I thought how very sparingly he and Anne – who's the other person brought in – were drawn, but how well they bring the outside world into the office, because all of the first half happens in the office and it's quite a claustrophobic environment. Then suddenly these characters pop up that you're not really prepared for. You don't know where they've come from and you learn very little about them, but they're very succinctly drawn so you get a sense of them coming from the outside.

## John Crowley, the director, asked all of the actors to create back-stories for their characters. How much can you do that with a character like Guy, about whom the script reveals very little?

Obviously some characters, who run right the way through the play, are more fully-drawn than others. Information is revealed through the course of the piece, whether it's Barry with his daughter – who's an off-stage presence but very important in his life – or Andrew, whose circumstances are revealed gradually over the play – the fact that he's got a father who's clearly in hospital or not been very well.





So when it came to writing the biography for Guy, I started to think about how somebody like him might have been drawn into it. We know he's been a mechanic, but he's not anymore. Why? What's gone on there? So you just ask yourself those kind of questions and try and fill in the gaps.

Before writing Guy's biography I thought, 'This won't take very long, I'll be done in ten minutes'. But every time I made a decision or answered one of my own questions, I'd think: 'Hang on! If that's the case, why is that like that?' It makes you realise that you have to be very specific and it all has to match up in your mind, in terms of how he found himself in that room being drawn into that scam.

### So you've made decisions about the life-choices Guy's made to take him from being a mechanic to a mobile DJ to taking part in an insurance scam?

He's got a line where he says: 'I remember my first divorce. Cost a bomb.' I thought, 'Ah! So there's the pressure of money that all the characters have. He's got at least one divorce behind him'. And then when I started to put together a timeline, working backwards from his age – in the script he's forty – I thought, 'If he's been married more than once, he must have got married quite young. What happened? Did he have children or not?' If the divorce was costly he must have had children, because if it was a simple straightforward 'We can't live with each other anymore', he wouldn't have the financial burden of paying maintenance for his kids. So I thought he's obviously a father. I started to sketch in what that might mean and then realised if he was married and had children very young, then his kids might already be grown-up enough to be beginning to have children of their own. He might be a very young grandfather. So suddenly a whole kind of lifestyle begins to form around that. It's a process of accretion really.

#### And then, ten years Guy's senior, there's the Judge. Tell us a little about him.

Again, we don't learn a lot about Judge Jessup, except from the way he conducts himself in the courtroom. Nick Payne has written him with a slightly eccentric side, in the sense that he enters with a fan, plugs it in, makes a little joke and then goes out of his way to make everybody feel relaxed in the courtroom. But when the trial's actually underway he's very precise and quick to jump on anything that's not being done according to the rules of the courtroom.

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The big outburst he has is about a mobile phone and Kevin texting. He's outraged by it. At first, when I read the play, I thought, 'This is a relaxed character', which is not something we would necessarily expect from a judge. We tend to think of a judge as a stern figure in a wig. But he's outraged by the texting and picks Kevin up on his use of swear words and so on.

So I started to think of him, in terms of his function as a judge, as a kind of referee in the courtroom. As an arbiter of what's right and wrong. But then there was also thinking about him on a more personal level, in terms of what he brings in and some of the things he says as a human character. Again, in terms of writing the biography, it was a question of marrying those things up and thinking, 'What kind of person is he?'

I started to do a bit of research about the law. In fact I enrolled on an online course about the structure and practice of English Common Law, just because I wanted to get a sense of what's in his head in terms of knowledge. And also to get a flavour of how people start to think when they engage with the law professionally. It seemed to me that it was a good place to start. It gives you the confidence to feel that you're in some kind of position of inside knowledge in the context of a courtroom.

### In terms of your performances, how do you make the two characters distinct from one another?

I think it comes back to the writing, because the writing is so good and clear. With Guy, the character is sketched in very economically but also very clearly by Nick. It's a question of really fleshing it out for yourself so you're seeing him from the inside rather than the outside, as the audience see him. You have to get to the point where as an actor you feel you can just be him. It's not like putting on one mask, then taking it off and putting on another.

And I think as you get a feeling for his speech rhythms and a feeling for what his life is like outside the room, you begin to bring a different energy. The decisions I might make about Guy would be very different from somebody else, but as long as the decisions I've made are concrete and drawn from what happens in the scene, the details of his personality will then inform his body language and his tone of voice, and the pitch of his voice and the way he breathes.

In one sense, because you're on stage for less time you have to be even more distinct in the choices you make, because the audience has a limited opportunity to gain an understanding of who these characters are.

You have to arrive fully formed. That's the challenge of playing a character you don't have time to reveal over the whole evening. That's why people say, in some ways, it's harder to play a small part than it is to play a much bigger one – a part with more stage time where you have lots of targets to go for and more time to get them. With a character who only appears once and maybe doesn't say very much, they have to be an equal presence in the scene.

#### What's one of the biggest challenges that this production presents for you?

I think the biggest challenge I have with Judge Jessup, for instance, is while as an actor I want to make him as fully-rounded a character as possible, being a judge in a court case he has a very strong functional role. It's a very cerebral role. He has to weigh up the facts, establishing what those are, and then apply the law to them. It's a very unemotional thing. As an actor you often fire off the emotions of the character and how much you're revealing those emotions or how much you're covering them up. I think one of the challenges of playing a judge is to not give away what he's thinking about certain things that happen in the court.

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And it's made me realise how difficult it must be to be a judge. You don't want to stamp out emotion from the process, because often it's when people are emotional that they reveal the truth, but part of your job is to maintain order and make sure that due process is followed. Yet at the same time you have to ensure that people are sufficiently comfortable and relaxed to be able to be honest.

And because we the audience will feel like we're sitting in the public gallery, we'll be looking to you as the judge to keep the proceedings in order.

When we started doing it I thought, 'I wonder how they're going to stage this?' Because obviously the people who do most of the talking in this scene are the Counsel for the Defence and the Counsel for the Claimant, Andrew and Georgina, plus the witnesses. I thought, 'I wonder if they'll place it on an angle?' Actually what John and the designer, Scott Pask, have done – very boldly – is put the audience in the position of being in the public gallery, which means that actually they see the backs of those protagonists most of the time. The person they see sitting upstage, facing front, is the person who probably says the least in the whole scene – the judge – but he's the person who's the arbiter of what is true and what is not.

#### And we have to go off you, don't we?

Yes. Which is why I feel the challenge, in a way, is not to betray what the judge is thinking about the case until he's off stage. Because that's what maintains the dramatic tension of the scene, that we never know whether the judge is going to come down on one side or the other.



## Section 3:

## Resources

Monica Dolan

## spotlight

### Spotlight on: Lighting Designer, Peter Mumford

Lighting is an integral part of any theatrical production's design. It not only suggests location and time of day, but also creates vital atmosphere and emotion. A Lighting Designer will work closely with the director and set/costume designer to ensure the lighting supports the play and enhances the overall mood and tone of the production.

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Peter Mumford is a Lighting Designer with many years' experience. Since the 1970s he has worked extensively throughout the UK and abroad on a wide variety of productions, from multi-media dance pieces and West End shows, to the spectacular new musical King Kong in Melbourne, Australia.

His awards include: 1995 Olivier Award for Outstanding Achievement in Dance (*Fearful Symmetries* and *The Glass Blew In* by Siobhan Davies, Royal Ballet), 2003 Olivier Lighting Award for *Bacchai*, National Theatre, and the Knight of Illumination Award 2010 for *Sucker Punch* at the Royal Court Theatre. He is currently Chairman of the Association of Lighting Designers.

<image>

### In terms of creating a lighting design, what's the process for you when approaching a script? How did that work with *The Same Deep Water As Me*?

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The first thing you do, obviously, is read the play and go through it to get a sense of the piece. You generally do that simultaneously with meeting the director and the designer, to get an idea of where they've got to. Mostly the process begins with the director, who will then select his creative team. Usually he'll talk to a designer first and then a Lighting Designer and Sound Designer will fit into that.

So you read the play, then have a look at where the set designer's got to, in terms of the space, because eventually that's going to be my canvas to work on – because without light you can't see anything. So that's really how it begins.

## Presumably when reading a script, you immediately start to have ideas about the lighting?

Absolutely. After I'd read this play I said to John Crowley, the director, 'This looks like a piece of "controlled naturalism" ' – in the sense that it's a very naturalistic piece. It's not abstract or expressionist, it's very real. When you've got a real piece like that, it doesn't mean you don't do anything. It means you're looking at creating quite naturalistic situations, but you're also trying to control them in terms of creating focus – telling people where to look and when. For example, in this play, each scene is really one look. But within that one look I'll be making adjustments, a bit like a camera zooming in for a close-up. I'll be making very subtle moves to emphasise certain areas, what's going on. And also using the indications of time of day within the script to create different atmospheres for each scene.

The play's set in a very specific world and, to many, a familiar work space. I recall when the model-box was unveiled, reference was made to dull office interiors and bright courtrooms.

That's quite true. But even within the office there are a lot of time-passing situations, where you'll get one scene followed by another set in the exact same place but a week later. It'll be a different time of day, the weather will have changed. The play begins by describing a hot summer's day in the office, then later in that same space it's snowing outside. Although the office stays the same, you want to try and get a slightly different mood within it.

#### So the skill lies in not drawing attention to the lighting design itself?

I think on this particular piece that's true. It's a subtler process. That's what I mean by 'controlled naturalism' – using things that happen naturally, like clouds passing over windows, in tandem with the text so that you're creating dramatic moods. But you're doing it very subtly. Quite often with a play like this, if you actually analyse all the cues you might see a big visual journey. But in the process of watching it, over time, most audiences wouldn't necessarily pick that up or notice it. It is happening, though.

I think it's about trying to make something interesting and attractive to watch, but at the same time staying within the space and being true to the realism you're dealing with. This play's not one to be flash with the lighting. I've just done something that is really flash.

#### King Kong in Australia?

That's right. It couldn't be more different. The lighting's huge in that – 300 moving lights. Totally different, but that's good. I like the differences. Also, if you're working with dance, light often takes on a much bigger scenic role. Ultimately, though, you do what's right for the piece.

#### How did you get into lighting?

I actually trained as a set designer and I still work as a set designer occasionally. So that was my initial training, because at the time I went to art school – many years ago – there were no lighting design courses. Now there are loads, but there weren't any back then. So it was all part of a stage design process.

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I also became involved with an experimental theatre company called Moving Being, and in the early days we were using a lot of film and slide projection in our work, and in order to control that I found myself lighting as well. So for about the first ten years, working with this company, I was lighting and designing everything. That was what was called a mixed-media company, because it used dancers and actors. I then moved very much into the dance world where one came across a lot of productions that only required light – it was just space and light. But my career evolved, as things do.

#### What would your advice be to any young person wanting to get into lighting design?

There are a number of good lighting courses around – Central School of Speech and Drama run a very good course, as do Rose Bruford. I think the key thing actually is being passionate about it, because it's very competitive. You have to learn a number of skills and expect it to take time. You don't get a degree in lighting, then walk out and become a Lighting Designer. It's a long process. You might well start as an assistant and learn through the business.

#### Beyond vocational training, what other advice would you give young people?

I have a lot of students on work experience, spending time watching and sometimes assisting as part of their course. They say to me, 'How do we get into it? What do we do next?' I think the main thing really, once one's gone through that training process and you've got ideas and things you want to do, is to connect with your generation. You need to find your generation of up and coming young designers and directors and expect to do a lot of low-key, not very well-paid work in small theatres. But ultimately build up a place for yourself within your own generation. That's the way in.



## Practical exercises for use in the classroom

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The following extract is taken from the beginning of the play.

The scene is set in the offices of Scorpion Claims, a law firm specialising in personal injury claims. It is 'late summer... an extremely warm day' and Barry Paterson, who runs the firm, and Andrew Eagleman, his colleague, have been joined by a prospective client, Kevin Needleman.

Working in groups, read through the extract and then follow the steps below.

Andrew.	Kevin Needleman this is Barry Paterson. Barry specialises in clinical negligence.
Kevin.	Hiya Barry, alright.
Barry.	Hello Kevin, good to meet ya.
Andrew.	Kevin and I were at school together.
Kevin.	He was a right little shit.
Barry.	Some things never change.
Andrew.	Not seen each other for years.
Kevin.	Gotta be ten, eleven, at least.
Barry.	Blimey.
Kevin.	Thought you was living in London?
Andrew.	I am. Was. Moving about.
Barry.	Walker fucking Texas Ranger.
Kevin.	'member Jordan saying you was in Arsenal?
Andrew.	There or thereabouts, yeah.
Kevin.	Bit of trek? Arsenal to Luton.
Andrew.	Be surprised. So what can we-
Kevin.	The one that got away eh.
Andrew.	So what can we do for ya, Kevin?

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Kevin.	Doesn't hang around, does he?
Barry.	Can we get you something to drink, Kevin?
Kevin.	Love a cup of tea.
Barry.	What d'you fancy? There's organic Green; White with pomegranate; Ginger and Lemongrass; Cranberry, Strawberry and Raspberry; Organic Rose, Chamomile and Lavender; Dragonfly Yellow or Japanese Popcorn.
Kevin.	Fucking hell.
Andrew.	Barry did a course.
Barry.	Cornwall.
Kevin.	I'll be honest with ya, Barry, I'm a bit out of m'depth here mate.
Barry.	Popcorn?
Kevin.	Yeah, go on then why not, fuck it. <i>Exit Barry.</i>
Kevin.	Is that 's not Barry as in
Andrew.	Go on.
Kevin.	's not Barry as in linesman Barry, is it?
Andrew.	It is, yeah.
Kevin.	Fuck me, he's changed.
Andrew.	Has he?
Kevin.	'member his Mrs. Fuck me; she definitely woulda got it. How's she looking these days?
Andrew.	She uh She passed on.
Kevin.	That is a fucking tragedy. Beat.
Kevin.	Boulders reckoned he saw you, you know.
Andrew.	Oh yeah.
Kevin.	In Greggs, coupla weeks ago. Reckoned he saw you chatting to that bird behind the counter.
Andrew.	Neve.
Kevin.	I said to him, I said, you reckon you saw Andrew-fucking-Eagleman. I said, Boulders, I said, you need y'fucking head read, mate. Eagleman bolted years ago, I said. Might text him actually. <i>Kevin goes to get out his phone.</i>
Andrew.	So what can we do for ya, Kevin?
Kevin.	Well. Bit embarrassing to be honest with ya. In an accident, coupla weeks ago. Tesco van. One of them little ones.
Andrew.	I'm sorry to hear that.
Kevin.	Yeah, thanks. Anyway, I was, was speaking to a mate of mine. Robin Hillson? Karate Robin? Sneezed that time and his eye came out? Anyway Karate was saying similar thing happened to him. And he was saying that he put in one of these claims. One of these no-win-no-fee setups.
	Extract reprinted by permission of the author



Having read the extract, take a moment to discuss the text in your groups.

What impression do you get of Andrew, Kevin and Barry? Write down as many things as you can that you learn from this extract about the characters or the world of the play. These could be solid facts, but might also be impressions or ideas that are more about the tone of the extract. Highlight in yellow any words or phrases that do not immediately make sense. As a group, try to work out what these might mean.

## **Q2**

## Working through the text again, highlight in blue any facts that tell us about the characters.

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Include anything that they say about themselves or each other, as well as anything that gives us information about their past. What do you learn about each character from this extract? Try and build up a picture from the text of what the relationships between the characters are. For example, how long has Andrew known Kevin?

**Q**3

Go through the extract once more and note any questions that are unanswered by the text.

In your groups, decide on what the answers to these questions might be. If there's no evidence in the text, make a decision yourself.

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Finally, with your newly annotated text, try performing the extract, making use of all your notes.

How does your enhanced understanding of the world of the play impact on you performances?



**Questions on the production and further practical work** 

You may wish to work individually on answering the questions below, or they may form the basis for a group discussion following your visit to the Donmar to see the production of *The Same Deep Water As Me*.

Consider the following, asking yourself why a creative team makes certain choices and how these impact upon an audience's interpretation of a play.

**Q1** 

What do you see and hear on the stage and in the auditorium while you are waiting for the performance to begin?

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**Q2** 

What is your first impression of the set? What shapes, levels, textures and colours are being used?

**3** How does the design establish the world of the play, in terms of its location and atmosphere? How do the actors use the set?

**Q4** 

What shapes, colours and textures are used in the costumes? What do they tell us about the characters, in terms of their personalities and background? Compare the costumes of different characters. What stories do they tell?

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How does the lighting show where we are? Describe two contrasting locations. What colours and shades of colour are being used to create time of day, location or mood? What levels of brightness are being used and why? What atmosphere and emotions are suggested by the lighting? (See the interview with Lighting Designer, Peter Mumford.)

## **Q**6

What transformations take place within the main characters through the journey of the play? How do the actors embody these changes?

## Glossary of economic and legal terms

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Austerity	In economics, austerity is when a government reduces its spending and/ or increases taxes to pay back creditors.
Barrister	A lawyer entitled to practice as an advocate, particularly in the higher courts.
Civil law	Civil law means non-criminal law. Civil law is the branch of law dealing with disputes between individuals or organisations, in which compensation may be awarded to the victim. For instance, if a car crash victim claims damages against the driver for loss or injury sustained in an accident this will be a civil law case. Civil law differs from criminal law, which emphasises punishment as opposed to dispute resolution.
Creditors	A person or company to whom money is owed.
Defendant	An individual, company or institution sued or accused in a court of law.
Double-dip	A double-dip recession refers to a recession followed by a short-lived recovery, followed by another recession. When a country's Gross Domestic Product (GDP) growth slides back to negative after a quarter or two of positive growth.
Fiscal	Of or relating to financial matters – government revenue, especially taxes.
Fraudulent	Obtained, done by or involving deception – especially criminal deception.
Gross Domestic Product (GDP)	The total value of goods produced and services provided in a country during one year.
Lawyer	A person who studies or practices law – an attorney or counselor.
Liability insurance	Insurance that provides protection from claims arising from injuries or damage to other people or property.
Litigation	A legal proceeding in a court – a judicial contest to determine and enforce legal rights.
Litigious	Concerned with lawsuits or litigation. Also, unreasonably prone to go to law to settle disputes.
Multinational	A multinational corporation (MNC) is a corporation that is registered or has operations in more than one country. It is a large corporation that both produces and sells goods or services in various countries.
Plaintiff	A person who brings a legal action.
Solicitor	An attorney who advises clients on legal matters, represents clients in certain lower courts and prepares cases for barristers to present in the higher courts.

## Bibliography and suggestions for further reading

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#### Other plays by Nick Payne include:

Constellations (Faber and Faber, 2012) One Day When We Were Young (Faber, 2011) Wanderlust (Faber, 2010) If There Is I Haven't Found It Yet (Faber, 2009) American theatre critic John Lahr has written about Nick Payne and his work.

#### Other plays that may be on interest:

Glengarry Glenn Ross by David Mamet (Methuen, 1984)

#### Resources that were used for research by the company include:

*The Staircase* (2004) – Film documentary by Jean-Xavier de Lestrade *The Crying Game* (1992) – Film directed by Neil Jordan *A Few Good Men* (1992) – Film directed by Rob Reiner *Strangers on a Train* (1951) – Film directed by Alfred Hitchcock

#### Endnotes

(Endnotes)

1 *Better Routes to Redress* – Better Regulation Task Force – London: Cabinet Office Publications & Publicity Team (May 2004)`

#### About the Donmar Warehouse

The Donmar Warehouse is an intimate not for profit 251 seat theatre located in the heart of London's West End. Since 1992, under the Artistic Direction of Sam Mendes, Michael Grandage, and now Josie Rourke, the theatre has presented some of London's most memorable theatrical experiences and has garnered critical acclaim at home and abroad. With a diverse artistic policy that includes new writing, contemporary reappraising of European classics, British and American drama and musical theatre, the Donmar has created a reputation for artistic excellence over the last 21 years and has won 43 Olivier Awards, 26 Critics' Circle Awards, 25 Evening Standard Awards, two South Bank Awards and 20 Tony Awards from ten Broadway productions. Alongside the Donmar's productions, we offer a programme of Education events, which includes subsidised tickets, introductory workshops and post show discussions, as well as special projects which give young people an opportunity to involve themselves more closely in the work of the theatre.

For more information about the Donmar's education activities, please contact:

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W: www.donmarwarehouse.com/discover