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CINEMATIC IMMUNITY DOES NOT EXIST

“We just need a minute on the other side of the fence.”
“It’s only a curb lane. What’s the big deal?”
“This sequence won’t work without that shot.”
“Just three people and a camera. We’ll be in and out before anyone even notices.”
“We’ll hear a train before it gets to us.”

This is a small sampling of the pressure on film crews to step outside set and permit boundaries by people who believe in the imaginary concept of “cinematic immunity”, people who won’t accept the restrictions of location filming. It is a reckless belief that permeates our industry, and most of our Members have witnessed or experienced it more than once.

Seeing the growth of the “Slates for Sarah” movement throughout our industry and in social media, it seems appropriate to share some thoughts on the unnecessary nature of the incident that claimed her life. On February 20th, she ran for her life from an oncoming freight train and was struck and killed when the train hit their set. It is now clear that the production did not have permission to be on the tracks. The entire industry must now take a closer look at the concept of cinematic immunity. This is a stark reminder that it is truly a false premise. There is no immunity. Instead, there is jeopardy, risk, and the potential for lost lives.

As filmmakers, we are granted the privilege of exposure to interesting places and situations when filming on location. Whether it’s a farm, a swanky office suite, a mansion or a mountaintop, we get to see and experience places and people that we might not encounter in a less extraordinary job. There is always a price to pay to gain access to these locations, and each production must decide whether or not they can tell their story within the applicable limitations. Sets of rules and permit restrictions come with each of our workplaces, and your Locations team is responsible for defining those restrictions on scouts, surveys and in production meetings, informing production personnel of the applicable limitations to each day.

Crew members must strive to support the rules while helping the Director achieve their vision within the given parameters. Directors need to be aware of potential jeopardy in asking for unplanned shots requiring access to property outside the contracted work

zone. Everyone should be aware that stepping outside the boundaries of permits or location contracts can nullify production insurance, leaving both the company and any involved employees open to lawsuits.

In the end, ultimate responsibility for safety on set lies with the Employer/Producer, however under Ontario law, every worker shares the responsibility to identify and report safety risks. If you are asked to go somewhere or do something outside the bounds of the permit or the set, you have every right to question it. Stand behind your Locations team if they say no. Help to find a creative alternative solution. Call our Field Rep, our office and/or your Producer. Report your concerns. If you have fulfilled your responsibilities and are still being pressured, you have the right to refuse. If you lose your job for appropriately defending the safety of your team, we will grieve. That's a promise.

We all need to ponder and seek out new ways to protect our workers. We must collectively acknowledge and accept the limitations of location filming, and find creative, safe ways to tell our stories without risk to our workers. Let Sarah's untimely death stand to remind us that nobody is immune from the consequences of unnecessary risk. Honour her memory by upholding these principles and keeping yourself and your colleagues safe in our varied workplaces.