Provoking a huge backlash against SeaWorld known as the 'Blackfish Effect'.

Blackfish

# BLACKFISH

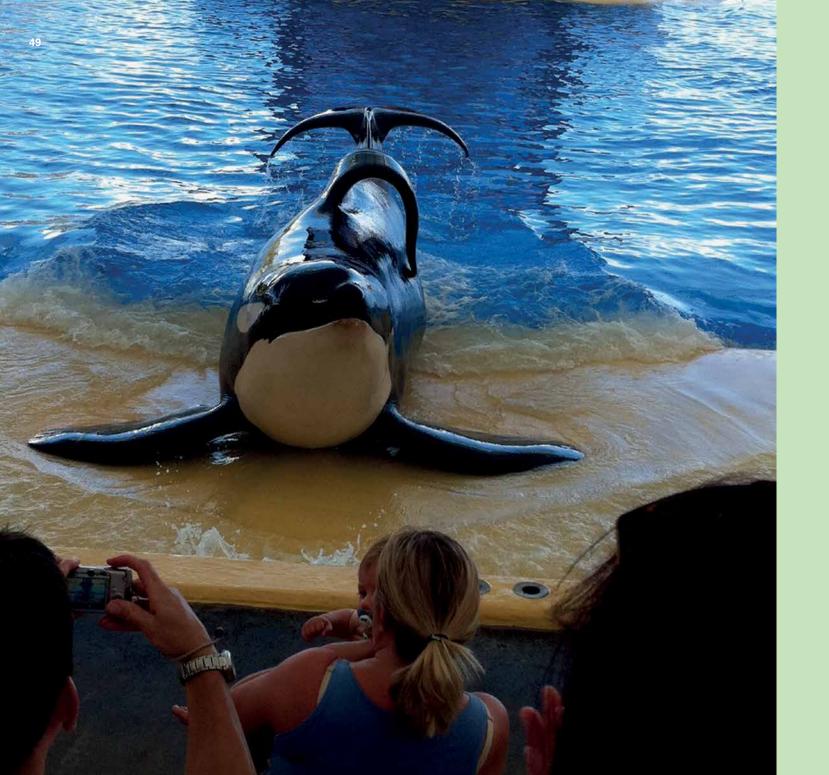
Blackfish tells the story of Tilikum, a performing killer whale that killed several people while in captivity. Along the way, Director-Producer Gabriela Cowperthwaite compiles shocking footage and emotional interviews to explore the creature's extraordinary nature, the species' cruel treatment in captivity, the lives and losses of the trainers and the pressures brought to bear by the multi-billion dollar sea-park industry. Blackfish challenges us to consider our relationship to nature and reveals how little we humans have learned from these highly intelligent and enormously sentient fellow mammals.

# WHAT THE CRITICS SAID

"A mesmerizing psychological thriller with a bruised and battered killer whale at its center... Righteous, captivating and entirely successful." – Variety

Satellite Award Winner Best Feature Documentary Tall Grass Film Festiv Best Documentary

Audience Award





# **CONTEXT**

The filmmakers did not set out to campaign with their film; their main goal initially was to create mass public understanding of a previously unrecognised issue, with a behaviour change goal developing post broadcast as the distribution rolled out.



# **IMPACT DYNAMICS**

As a tool for analysing campaign strategies, BRITDOC has devised what we call the Four Impact Dynamics; broad categories for the kinds of change you can make in the world. This has been developed by studying the films that we have worked with as well as working with

NGOs and activists to understand how they conceptualise their work. More information on the impact dynamics can be found in *impactguide.org* Below we apply the impact dynamics to the campaign goals of *Blackfish*.

# **CHANGING MINDS**

Mass awareness and understanding – creating a shift in public attitudes.

The team wanted to generate mass awareness of what had hitherto been only known to animal advocacy and whale conservation groups; what happens to whales in captivity. To bring this issue into mainstream consciousness was the overarching goal.

# BUILDING COMMUNITIES

Grassroots organising
– providing the focal point
around which people
come together.

# CHANGING STRUCTURES

Top down change – whether in politics or business, directly influencing law and policy to change the context.

# **CHANGING BEHAVIOURS**

Actively mobilising people to do different not just think different, whether that's to buy or boycott, donate or volunteer.

In making the film the filmmakers hoped that SeaWorld would change some of their more archaic practices, such as breeding whales in captivity.

# HOW THE CAMPAIGN WORKED

Blackfish was not initially conceived of as an "impact film" that would use an outreach and engagement campaign to amplify and deepen its message; rather a piece of journalism that would serve to raise awareness of how marine mammals are kept in captivity at SeaWorld.

Cowperthwaite's overriding concern was one of independence; thus the film's journey into the world was planned along traditional marketing and distribution lines.

To this end, the film premiered at Sundance Film Festival in January 2013 and hoped to pick up a distribution deal, which was secured from Magnolia Pictures. A theatrical roll out in 100 territories was supported by the director and the cast of ex-SeaWorld trainers who attended Q&As and gave press press which only served to bring appearances. The LA premiere was co-sponsored by The Humane Society which was associated with the film at that time.

# SEAWORLD RESPONSE

The media coverage – news, speculation, comment - generated around the film has been substantial. After initially keeping quiet, SeaWorld changed tack when three days prior to the US theatrical release in July 2013, the company issued statements

that the film was one-sided, and accused the filmmakers of misinformation. The filmmakers felt forced to respond to their detailed accusations and a point by point rebuttal was crafted with the help of marine biologist experts. This exchange set off a tidal wave of the issue out into the open. This pattern was repeated throughout the life of the film as SeaWorld mounted an aggressive PR campaign and held a position which sought to paint their critics as "extreme animal rights activists."

A broadcast on CNN Films followed. ensuring a wide viewership for the film and huge press and social media interest, at which point SeaWorld realised that the phenomenon was not going to go away. In December 2013,

A BROADCAST ON CNN FILMS OF ANIMAL MISTREATMENT

SeaWorld bought full-page ads in eight newspapers, rejecting allegations of animal mistreatment. targeted campaign reaching Jim Atchison, the company's president and chief executive, insisted most park quests "see the story for what it is — an activist agenda."

This SeaWorld statement was judged to be in response to a wave of negative publicity following the CNN broadcast and two high-profile events involving schools; a Malibu, California school cancelled its annual overnight field trip to the park after students spoke out in opposition, and a San Diego, California, high school cinema class posted a video to YouTube with students pledaina to spend no more money at SeaWorld until the company changes its practices.

# ADVOCACY BY PETA

Throughout the distribution life of the film, animal advocacy groups used the film for their own campaigns and helped promote Blackfish, among them Humane Society of the US, Born Free Foundation, Voice of the Orcas and PETA. This was not directed by the filmmakers but happened independently, which allowed the filmmakers to distance themselves from perceived partisanship while positioning the film to

a broad audience. PETA – through a carefully different audiences with different strategies – effectively ran the Blackfish campaign by proxy, setting up a dedicated campaign website SeaWorldofHurt.com.

PETA had a history of campaigning on the captive orca issue; in 2012 they sued SeaWorld in federal court on behalf of captive orcas. PETA argued that five wild-caught orcas deserved protection under the Constitution's 13th Amendment. which prohibits slavery. While they may have always expected to lose the case, they gained media coverage and visibility as a result.

When the film was released PETA leveraged their huge supporter base on social media to set a new record for retweets from their account, 4190.

The hashtags #blackfish and #blackfishonCNN trended: this has been attributed to PETA's active marketing team that was live tweeting while watching the broadcast and public discussions, although other advocacy groups and celebrities such as Ariana Grande, Stephen Fry, Zach Braff and Michelle Rodriguez also helped spread the word. A month later, PETA's tweet marking the 30th anniversary of Tilikum's capture from the wild was retweeted more than 4.500 times.

When Macy's annual Thanksqiving Parade announced that SeaWorld would be sponsoring a float "A Sea of Surprises", PETA called for the float to be banned, publicly protesting outside the department store, launching an email campaign that received 78,000 messages and handing out leaflets in front of the apartment of Macy's CEO. The float went ahead, only to be petitioned by protestors shouting "Boycott SeaWorld". A 12-year-old protestor who jumped the barrier was arrested, and this stunt received huge national press coverage and served to keep SeaWorld - and Blackfish – in the news.

Meanwhile, as the campaign evolved. Gabriela felt the need to solidify her line on what the solutions should be to the SeaWorld issue as she was called upon for her opinion. Recognising that the field itself was divided on meaningful solutions, she came to a position that was ultimately a personal judgement call.

As well as traditional distribution numerous community screenings took place, initiated by schools, animal groups and universities who contacted Gabriela directly. These included NY Law School. Cal State Northridge, San Diego Point Loma High School, USC, Pepperdine and Stetson University.



Blackfish as a film has been especially successful in moving individuals and organisations to action, from passive watching to active engagement with the issues. As the distribution roll-out continued actions small and large accumulated around the film, creating the now oft-cited "Blackfish effect".

As the noise around Blackfish continued, there is evidence that mass awareness had started to translate into behaviour change on the part of corporations and the general public.

In December 2013 eight out of 10 originally scheduled musical acts pulled out of SeaWorld Orlando's Bands. Brew and BBQ concert series citing the documentary *Blackfish*. This was in response to a campaign petition to Willie Nelson on Change.org which garnered 9198 signatures. Once again this was widely covered in the media as part of the "Blackfish effect."

There have been numerous campaigns on multiple orca/SeaWorld issues on Change.org, a measure of how far the issue has become part of the public consciousness.

# The campaigns include:

— "Humanely release the Orca whale known as Tilikum to a sea pen for rehab" (172,025).

- "Shut down the movie Blackfish"
- "Remove *Blackfish* from your streaming line up" (870).
- "Ask SeaWorld to release their orcas and dolphins to ocean sanctuaries" (24,133).
- "British Airways: stop selling trips to SeaWorld. End your support for these cruel orca circuses" (167.571).
- "SeaWorld: End captive breeding program" (51,913).
- "American Express: stop promoting SeaWorld animal cruelty" (26,322).

# Notable successes include:

- "Please watch #blackfish and cancel Busch Gardens" (1023) which resulted in The Beach Boys cancelling a gig at a SeaWorld owned park.
- "Why is Taco Bell supporting SeaWorld animal abuse?'

**Change.org Petitioner** 

(20,426) which resulted in Taco Bell severing promotional ties with the company.

- "South West Airlines: stop promoting animal cruelty" (32.467) which resulted in SW Airlines dropping their SeaWorld association.
- As of October 2014 British Airways has agreed to meet the Change.org petitioners to discuss their concerns.

In addition another 50 tour operators signed a pledge stating that the captivity of cetaceans for entertainment is morally wrong and the board of Vancouver Park has voted unanimously in favour of ending captive breeding of cetaceans at its aquarium, unless they are a threatened species.

In October 2014 Virgin America became the latest corporate to end their association with SeaWorld. dropping them from their airline reward programme.

In addition, the film has enjoyed support from multiple celebrities, who have tweeted and announced their opposition to SeaWorld practices.

@ MileyCyrus Please watch BLACKFISH #befree 8.748 RETWEETS 10.418 FAVORITES

SeaWorld's response until very recently has been to continue with business as usual. While not responding with any intention to change their practices, it has in effect initiated this by default by agreeing to drop their challenge of a federal order that has kept trainers away from killer whales during performances at its water parks. Declining to pursue their challenge to the OHSA (Occupational Health and Safety Administration) ruling all the way to the Supreme Court SeaWorld acknowledged for the first time the damage the publicity from the film had done to the company:

"We have elected to not pursue further appeal... In connection with this incident, we reviewed and revised our safety protocols and made certain safety-related facility enhancements such as revising training protocols used in show performances.

"This incident has also been and continues to be the subject of significant media attention, including extensive television and newspaper coverage, a documentary and a book, as well as discussions in social media... This incident and similar events that may occur in the future may harm our reputation, reduce attendance and negatively impact our business, financial condition and results of operations."

SeaWorld is a huge operation; it owns 11 parks in five states. The major shareholder of SeaWorld is Blackstone private equity group who took the company public in April 2013 when it was valued at \$2.5 billion.

A vear later Blackstone reduced their stake from 43% to 25% with SeaWorld buying back stock. This was interpreted by most financial commentators as a retreat from a previous strategy:

"What is not in dispute is that Blackstone has been busy cashing out of SeaWorld." - Wall Street Journal

This followed a 13% drop in attendance, a fact SeaWorld pinned on higher ticket prices and the timing of the Easter holidays.

Meanwhile, SeaWorld quietly updated its risk factors in regulatory filings to include a new definition of risk, crucially adding a thinly veiled description of Blackfish:

"An accident or an injury at any of our theme parks or at theme parks operated by competitors, particularly an accident or an injury involving the safety of guests and employees, that receives media attention, is the topic of a book, film, documentary or is otherwise the subject of public discussions. may harm our brands or reputation, LORO PARQUE

cause a loss of consumer confidence in the Company, reduce attendance at our theme parks and negatively impact our results of operations."

By August 2014 shares had fallen by 37% since the IPO, a fact attributed by financial observers to the negative publicity incurred by Blackfish.

A month later. SeaWorld's denials of the Blackfish effect came back to haunt them when a shareholder class-action lawsuit was filed in California federal court. The action centred around claims that SeaWorld's Registration Statement and Prospectus around its IPO "failed to disclose that SEAS (a) had improperly cared for and mistreated its Orca population causing mental distress any orcas in captivity the move is to the Company's Orca population affecting trainer and audience safety; (b) continued to feature an Orca that had killed and injured numerous trainers; and (c) consequently exposed the Company to material and uncertainties that could adversely impact attendance at its family oriented parks."

Furthermore, "SEAS falsely claimed that the drop in attendance was a product of the timing of Easter, when in reality, the bad publicity from the Blackfish film caused families to stay away from SEAS parks."

In August 2014, SeaWorld announced their first initiative responding to the *Blackfish* effect: that it will build new, larger environments at its theme parks and will fund additional research on orcas, along with programmes to protect ocean health and whales in the wild. SeaWorld denied that these were a response to the film and the measures stop extremely short of what campaigners and the public have come to view as an ethical solution.

# LEGAL CHANGE

While legal changes were not on the horizon of the filmmakers it should be noted that New York and California are both proposing bills restricting the use of orcas. While New York does not currently have seen as a supportive gesture and further negative publicity for SeaWorld.

The California bill is being proposed by California state Assemblymaker Richard Bloom who saw the film and was moved to action. While Bloom contacted Cowperthwaite and she co-presented the bill, the film team did not collaborate in the drafting of the bill; instead an independent panel of scientific experts was convened to conduct their own research proposing a bill which bans the use of orcas for "entertainment purposes", seen as a restriction directly aimed at San

Diego SeaWorld, which keeps 10 orcas.

The bill has stalled temporarily for the purposes of further research but it is hoped will be re-presented.

Meanwhile, US House of Representatives voted unanimously to provide US\$1 million toward a study on the effects of captivity on orcas.

The proposed legal changes coincided with a shift in consensus amongst the general population, according to a poll conducted by The Animal Welfare Institute and Whale and Dolphin Conservation in May 2014 which showed that half of Americans oppose keeping orcas in captivity for public display. The poll indicated an increase of 11% in opposition and a 5% decrease in support for orca captivity from an identical poll which had been commissioned in July 2012.



United States (over 100 markets) Canada Brazil UK Ireland

France Germany Switzerland Spain Italy Greece

Cyprus Nordics Turkey Middle East India Singapore

Hong Kong Taiwan Korea Australia

TELEVISION TERRITORIES **USA-**CNN Film: Over



Ranked No.1 in the 25–54 demographic in cable news.

UK, France, Germany, Switzerland, Belgium, Central Europe and Balkans.

# **DVD TERRITORIES**

USA & UK, Italy

ONLINE TRAILER

Views

SOCIAL MEDIA

facebook.com/ Blackfishmovie

@blackfishmovie

blackfishmovie.com unique visitors

# SOCIAL MEDIA

The day after the film's initial screening on CNN, Google searches for the term "blackfish" also jumped to their highest level, and since then — Miami International Film have remained slightly higher occasionally spiking, probably during — Sarasota Film Festival 2013 subsequent screenings – than search levels in the preceding months.

Twitter said it was the most talkedabout show on CNN in October, with — Seattle Int'l Film Festival 2013

seen by

(It was the second-most tweeted non-sports program that night.) Followers of the CNN Twitter account jumped from 1000 to 2000 the day after broadcast.

# **FESTIVALS**

- Sundance Film Festival In Competition 2013
- True/False Film Festival 2013
- Festival 2013
- IFF Boston Film Festival 2013
- USA Film Festival 2013
- San Francisco Film Festival 2013
- Sundance London Film Festival 2013
- Hot Docs (Toronto) 2013
- AFI-Silver Docs Film Festival 2013
- Moscow Film Festival 2013
- Melbourne International Film Festival (Australia) 2013 (And 15 more Festivals)

# **AWARDS**

- Academy Awards 2014 Short List Best Documentary Feature
- BAFTA Nominated for Best Feature Documentary
- IDA Nominated for Best Feature Documentary
- Satellite Award Winner Best Feature Documentary
- Broadcast Critics Award Nominated for Best Feature Documentary
- Tall Grass Film Festival Winner Best Documentary 2013
- Sheffield Doc/Fest Nominated Special Jury Prize 2013
- Green Film Festival Seoul Winner Audience Award 2013



TIMELINE







# DIRECTOR

Gabriela Cowperthwaite is a documentary filmmaker who for more than 12 years has directed, scripted shorts to documentary and produced and written documentary programs for television networks including ESPN, National Geographic, Animal Planet, Discovery and History. In 2010, Cowperthwaite completed the award-winning feature-length documentary, City Lax: An Urban Lacrosse Story, which was acquired by ESPN and DirectTV. In 2009, Cowperthwaite completed producer on various series for a film for UCLA International Medicine in conjunction with the International Rescue Committee. which focuses on clinics in wartorn regions, with the emphasis on providing ground-breaking medical care for victims of violence. It has been translated into three different languages and will be distributed in independent companies. Under eight countries.

# **PRODUCER**

Manny Oteyza has produced a diverse body of work, from fiction features. Prior to Blackfish, he produced Wayne Quinton: Engineering Life, a documentary for BYUtv; line produced Amazon Gold, a documentary short on the destruction of the Amazon; and a six-part webisode series, Solving for X with Bill Nye for Disney. Oteyza has also served as a producer, line producer, and field television networks including National Geographic Channel, Military Channel, Discovery Channel and Travel Channel An alumnus of the American Film Institute's graduate producing program. Otevza has worked on fiction films for both studios and his company Manny O Productions, based in Los Angeles, he is currently developing feature-length documentaries and narrative scripts to produce.

# MANNY / PRODUCER

+ Festival/Theatrical

## GABRIELA / DIRECTOR

- + Festival/Theatrical
- + Publicity
- + Community/Educational Screenings

# MANGOLIA PICTURES

- + Publicity
- + Theatrical
- + Community/Educational Screenings

# CNN FILMS

ORGANOGRAM

- + Publicity
- + Social Media

# ORGANISATIONS THAT ACTIVATE

- + Blue Freedom
- + Born Free Foundation
- + PETA
- + The Humane Society
- + Voice of the Orcas

While there were no traditional campaign partners the following organisations used the film to launch their own campaigns, including but

**BORN FREE FOUNDATION** THE HUMANE SOCIETY

# BUDGET

Film Budget: Not disclosed

**Outreach Budget:** 



# CONCLUSION

A painstaking journalistic investigation into a trainer's death at SeaWorld. Blackfish was initially produced as a film which aimed to spark awareness around our complex relationship with and responsibility to marine mammals. However, the dynamic between the overwhelming popularity of the film, and a corporation's response to it,

took on a life of its own, and coined a new phrase, the "Blackfish Effect", a clamour for change that swelled from individual outrage about how orcas are kept for human entertainment. The film inspired individual action in the form of protests and petitions, and multiple celebrity endorsements. More traditional campaigning elements

were provided autonomously by issue-aligned groups, in the form of profile-raising stunts and social media work.

The impact on one company and its bottom line, and reputation, has been unequivocal.

# PEER REVIEW COMMITTEE

"Given the lean team and very modest expectations for reach and impact, the film's success is pretty remarkable. In terms of having a broad audience the film was extremely successful in raising awareness and changing opinion as well as harnessing the power of social media."

# **BLACKFISH VIEWER**

"I just went to SeaWorld and I will never go again. The higher ups at SeaWorld disgust me, blaming the trainers in these incidents."

# WATCH THE FILM

Buy your copy from **Amazon** Stream on iTunes

# **FOLLOW**

@Blackfishmovie facebook.com/Blackfishmovie

# CONTACT

**Kimberly Ventre** kimventre@yahoo.com



**NEW STATESMAN** Did a Killer Whale Doc Just Kill an Industry?

**BUZZFEED** 'Blackfish' Will Make You Rethink Everything You Thought You Knew About Killer Whales

THE NEW YORK TIMES SeaWorld's Unusual Retort to a Critical Documentary

**USA TODAY** California Bill Would Ban SeaWorld Orca Shows

HOLLYWOOD REPORTER The 'Blackfish' Effect: California's Proposed Orca Ban, Artists Cancelling Theme Park Concerts













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# Did a killer whale doc just kill an industry?

Seaworld might be about to take a giant hit.

BY FRED CRAWLEY | PUBLISHED 25 JULY, 2013-14:32



Photograph: Getty Images

Gabriela Cowperthwaite's documentary Blackfish is a clear successor to 2009's The Cove: a documentary that, through condemnation of Japanese dolphin hunting, lodged within the public consciousness a deep unease at the relationship between people and cetaceans.

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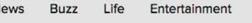




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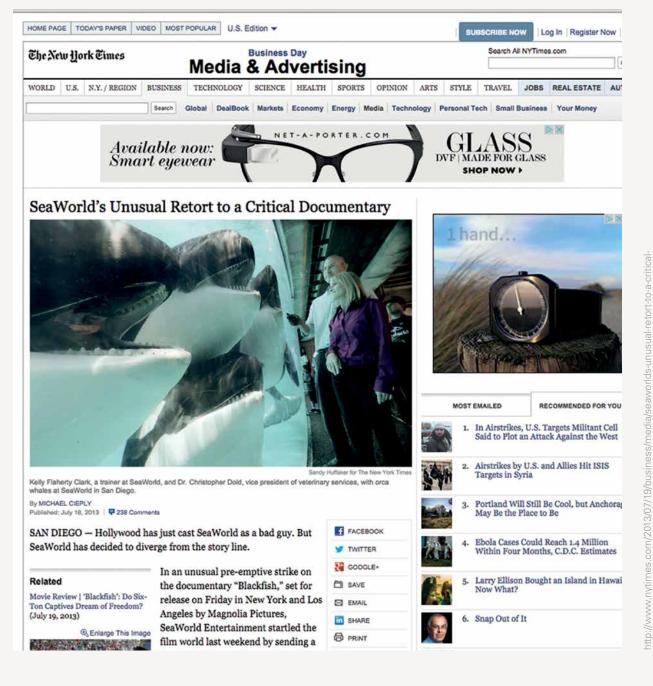


"Downton Abbey" Season 5 Begins W A Jolt



Orlando Jones Acts Out The Internet' **Favorite Emojis** 



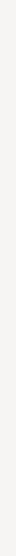


The documentary film, in theaters next week, details the dark side of keeping killer whales in captivity. That dark side also includes the mistreatment of humans. posted on July 12, 2013, at 10:08 p.m. Follow

Tillikum, "star" of the documentary Blackfish. Suzanne Allee/Magnolia Pictures

79 Blackfish





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Willie Nelson, REO Speedwagon, Heart and Barenaked Ladies dropped out of their SeaWorld gigs, while Diane Warren says, "It should impact musicians to not ever play at these horrible places. Animals are not here to entertain us."

Proposed legislation that would ban the use of orcas as a musement-park acts in California could turn up the heat on musical groups that can earn a 25 to 50 per cent premium playing such venues.

On March 7, California assemblyman Richard Bloom, a

