

One of Australia's richest citizens is preparing to take on big tobacco

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ONE of Australia's richest people is secretly preparing legal action to sue "big tobacco" for potentially billions of dollars on behalf of smokers as part of an unprecedented "assault" on the industry.


Philanthropist and iron ore magnate Andrew Forrest, whose charity organisation Minderoo Foundation was behind the introduction of the cashless welfare debit card in Aboriginal communities, is privately seeking legal advice from some of Australia's most expensive QCs.

It's understood the court action would be based on a landmark Canadian suit, where a judge ordered three tobacco companies to pay \$15.6 billion in damages to more than one million smokers.

The Saturday Telegraph can reveal the plan was recently alluded to in a COAG presentation by Mr Forrest to Australia's health ministers.

It's understood Allan Myers QC — one of Australia's most feared lawyers — has already been engaged. However, Minderoo would not confirm this yesterday.



 Mr Forrest has put away \$75 million to fight tobacco.

Mr Myers represented British American Tobacco in its recent fight against the Australian government's plain packaging laws.

Mr Forrest — the sixth richest Australian, worth about \$6.84 billion — has put aside \$75 million as part of Minderoo's "Eliminate Cancer Initiative".

The scheme, which is run with his wife Nicola, vows to create "huge financial risk for tobacco businesses and accelerate an end to their unsustainable business model".

"To tackle cancer, we must also tackle what is behind the single greatest cause of preventable death and is the basis for 30 per cent of all cancers — tobacco. Thus, any effort to reduce the burden of cancer must include tobacco prevention and cessation," Mr Forrest said.

One-in-eight Australians smoke daily with 15,000 people dying from the habit each year, costing the nation \$31.5 billion annually. "This society-critical initiative is still in its infancy but the end game is to reduce this dreaded disease to an illness not a death sentence," Mr Forrest said.

"We want to prove it works in Australia first and then immediately spread it globally."

At the COAG meeting of health ministers in August Mr Forrest presented his plans to eliminate cancer, which included to "litigate the tobacco industry to fully recover health and other costs". The plan was met with in-principal "universal support".

Legal advice is being sought from leading Australian, American and international lawyers to determine if litigation can be launched.

"Cancer is the greatest cause of disease burden in Australia and personally, it has caused the misery of every single generation of Forrests since the premature death of Lord John Forrest in 1918," Mr Forrest said.

"We must erupt change and bring this devastating disease to its knees."



📷 Andrew Forrest has personal motivation, saying every generation of the Forrest family since the death of Lord John Forrest in 1918 has been affected. Picture: Britta Campion/The Australian

In 2015 smokers in Quebec were awarded \$15.6 billion. Imperial Tobacco Canada, JTI-Macdonald Corp, Rothmans Benson & Hedges were accused of being liable for addictions and diseases suffered by more than a million people.

In the lawsuit, which covered 1950-98, it was argued the companies knew their product was harmful but hid the fact.

It was also alleged the companies encouraged addiction. The landmark lawsuit originated in 1998 with a case filed by Jean-Yves Blais and another by Cecilia Letourneau. They were consolidated in 2005 before proceeding to court in 2012.