

PRESS RELEASE

August 12, 2022

Betrayed Three Times Over!

The renowned Spanish TV presenter, José María Iñigo was betrayed by his employers who exposed him to asbestos, by a government which failed to acknowledge the hazard and by the Supreme Court which denied that his cancer had been caused by toxic workplace exposures.¹

The groups issuing this press release represent asbestos victims and campaigners in Europe, Latin America and Asia. We are united in our solidarity with a grieving family which has lost a father and husband and has been denied the acknowledgment of the harm they have suffered.

Mesothelioma is caused by exposure to asbestos. This is a fact. Historically, this fact has been denied by asbestos defendants who have spared no expense at hiring “scientists” and “experts” to defend their legal position. Even now, as we have seen in Spain, some Courts still fall for the dubious science carefully crafted to deny victims their right to justice.

Asbestos victims the world over have had to fight for their rights; in many countries these rights are still denied. In Brazil, the outlook for the asbestos-injured has dramatically improved as a result of different judicial actions – both individual and class actions – over the last 25 years. According to Eliezer João de Souza, President of the Brazilian Association of Asbestos Victims (ABREA):

“The fact that a legal case brought over the asbestos death of such a well-known personality as José María Iñigo was unsuccessful was a tragedy not just for his family but for families all over Spain who will continue to suffer in silence with a loved one who has contracted a debilitating and deadly disease. What hope is there for a dockyard or factory worker, a plumber or an electrician to obtain justice when the case for Spanish icon José María Iñigo was lost?”

Commenting on the Supreme Court’s decision, Joanne Gordon, Chair of the Asbestos Victims Group Forum UK said:

“We were shocked to hear about the decision of the Spanish Supreme Court. We are aware of multiple cases in the UK brought against the national broadcaster over asbestos exposures. The BBC has paid £1.64 million in compensation over the mesothelioma deaths of 11 employees – make-up artists, engineers, riggers, set builders, studio managers and television producers – exposed to asbestos at 18 BBC locations in London and Birmingham. Family members have often told us of the need for recognition of the fact that, but for the negligence of an employer, their loved ones would have been spared the suffering they endured and enjoyed many more years of life. Money cannot bring back the deceased but the acknowledgment of the wrong done can bring solace to the bereaved. We sympathize whole heartedly with the family of José María Iñigo and send them our sincere condolences.”²

¹ The Supreme Court’s decision was widely covered in the Spanish media.

José María Iñigo no murió por el amianto de TVE El Tribunal Supremo confirma que el presentador de televisión no falleció por este mineral [José María Iñigo did not die from asbestos on TVE. The Supreme Court confirms that the television presenter did not die from this mineral.] August 10, 2022.

<https://www.marca.com/tiramillas/television/2022/08/10/62f4033b22601d06498b45ef.html>

Mazazo judicial a la familia de José María Iñigo [Judicial blow to the family of José María Iñigo]. August 10, 2022.

<https://www.lavanguardia.com/television/20220810/8460191/jose-maria-inigo-amianto-supremo-sentencia.html>

² Email from Joanne Gordon. August 11, 2022.

Also see: Campbell, D. *Families win BBC payouts over 11 asbestos cancer deaths*. January 30, 2022.

<https://www.theguardian.com/media/2022/jan/30/families-win-bbc-payouts-over-11-asbestos-cancer-deaths>

Campaigner Laurie Kazan-Allen is appalled by the Supreme Court decision:

“It seems clear that the Court hid behind legalese to come to a conclusion favorable to the national broadcaster RTVE and the Spanish Government. The fact that the deceased did not engage in a designated activity as specified in the Spanish table of occupational diseases with a high risk of asbestos exposure only means that the table is wrong. It was within the Court’s remit to right this wrong; they chose not to do so. I would hope that the family would consider appealing to the European Court. This ignominious verdict cannot go unchallenged.”

Notes for Editors

1. For additional details, please email: Fernanda Giannasi (ABREA) at <mailto:fer.giannasi@terra.com.br> or Laurie Kazan-Allen (IBAS) at lkaz@btconnect.com

2. Information about the groups which issued this press release can be accessed at:

- International Ban Asbestos Secretariat (IBAS)
Website: <http://ibasecretariat.org>
- Associação Brasileira dos Expostos ao Amianto (ABREA)
[Brazilian Association of the Asbestos Exposed]
Website: <http://www.abrea.org.br>
- Asbestos Victims Support Groups Forum UK
Website: <https://asbestosforum.org.uk/>
- Asian Ban Asbestos Network (ABAN)
Website: <http://anroev.org/aban>