



Claire Mercer, in black and red scarf, arrives for the inquest into the deaths of her husband, Jason Mercer, and Alexandru Murgeanu

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Coroner demands safety probe into 'smart' motorways after deaths

NEW

Charlotte Wace, Northern Correspondent

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The lack of a hard shoulder on smart motorways contributed to the deaths of two motorists, a coroner ruled today, calling for an urgent review of road networks that present an “ongoing risk” of future fatalities.

Sheffield coroner David Urpeth said the primary cause of death of Jason Mercer, 44, and Alexandru Murgeanu, 22, on the M1 in South Yorkshire was the careless driving of a lorry driver, Prezemyślawn Szuba, who collided with their vehicles as they

stood stationary in lane one after a minor accident.

However, recording a conclusion of unlawful killing, he said: "I find, as a finding of fact, it is clear a lack of hard shoulder contributed to this tragedy." He added that he would be writing to Highways England and Grant Shapps, the transport secretary, asking for a review, saying: "I believe that smart motorways, as things currently stand, present an ongoing risk of future deaths."



Prezemyslaw Szuba was jailed for 10 months over the crash
SOUTH YORKSHIRE POLICE

Mr Mercer, from Rotherham, and Mr Murgreanu, who was born in Romania and lived in Mansfield, had been exchanging contact details after a minor collision on the M1 near Sheffield in June 2019. They were stationary in lane one when their vehicles were hit by Szuba.

The incident took place on an all-lane running (ALR) type of motorway, which instead of a hard shoulder has emergency refuges spaced at intervals. Szuba, 40, from Hull, was jailed for

10 months in October last year after admitting causing the deaths of Mr Mercer and Mr Murgreanu by careless driving.

At the inquest into the two men's deaths held at Sheffield town hall today, Szuba claimed he would have avoided the two men if there had been a hard shoulder.

Dialling in by phone from prison, the lorry driver said he had already accepted in his trial that he had not been paying attention when the collision occurred. But he said: "If there had been a hard shoulder on this bit of motorway, the collision would have been avoidable.

"I would have driven past these two cars as it would be safer and they would have been able to come home safely and I would be able to come back home."

He said that having only between three and five seconds to react was "not much".

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When asked if the collision could have been avoided if he had been paying attention, he said it was "difficult to say". He

confirmed that he had received no training in relation to driving on a motorway that did not have a hard shoulder.

Sergeant Mark Brady, who oversees major collision investigations for South Yorkshire police, accepted that Szuba's lack of attention was the primary cause of the collision.

A day policing a smart motorway

But he said: "Had there been a hard shoulder, had Jason and

Alexandru pulled on to the hard shoulder, my opinion is that Mr Szuba would have driven clean past them.”

He was asked about the cars being parked for six minutes before the collision occurred and if it was too long.

Mr Brady said that “you can’t quantify that risk in time, I don’t think... It’s a hard one to quantify.” He was not aware of any issues with the signage in the area that warned there was no hard shoulder ahead.

Mr Mercer’s widow, Claire, was present at the hearing alongside her legal team. Since losing her husband she has started a campaign over the safety of smart motorways and claimed the wrong person was jailed when Szuba was sentenced last year.

Speaking before the inquest, she said she hoped it would lead to South Yorkshire police investigating Highways England over the crash.

There are various other legal actions in place through her campaign, Smart Motorways Kill. A main focus has been bringing about a judicial review, alongside other relatives who have lost loved ones, in an attempt to outlaw smart motorways.

Mrs Mercer has received legal aid and crowdfunding donations but said she would “re-mortgage the house if it came to it”.

“There are so many ways we can go and I’m just going to keep pushing, and pushing and pushing,” she said.

“Right at the beginning a lot of people said to me: ‘you do understand that this is going to take a very long time, don’t you Claire?’ My answer was a bit curt but it shut every one of them up: ‘Jason’s going to be dead for a long time’. I’m just going to keep going — I’ve lost what I can lose.”

She is still having counselling. “He was every part of my every day, we did absolutely everything together and I’m never ever going to see him again,” she said. “Sometimes that just hits you like a brick in the face, it really does. “

She added that the campaign process was often “exhausting” and she could see why others might give up. “But I’m only going to get one chance at this and I need to do it now,” she said.

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