

“They are starting to get worried that if enough people stand up and push back against this, they will have to get rid of the smart motorways”

Smart Motorways Kill founder Claire Mercer speaks out on why government roll out must be stopped

Our reporters
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Claire Mercer is leading a fight to end “smart motorways” in the UK. Claire’s husband, Jason, was killed on a smart motorway on a section of the M1 near Sheffield, on June 7, 2019.

Jason died along with Alexandru Murgeanu after they were involved in a minor collision. They stopped to exchange the legally required insurance details but had no access to a hard shoulder where they could do this safely. They were both hit by an oncoming Heavy Goods Vehicle (HGV) lorry.

The government had converted the hard shoulder into a live traffic lane along swathes of the motorway network as part of its plan to turn the UK’s entire network of motorways into smart motorways by 2025.

Following the death of Jason and Alexandru, Claire and her family launched the Smart Motorways Kill campaign to fight for justice for all victims of smart motorways.

On November 1, Claire and other protesters carried cardboard coffins to the Department for Transport’s headquarters in London to demand the scrapping of smart motorways and for the government to immediately reinstate hard shoulders on all motorways in Britain. The 38 coffins represented the official number of those killed on smart motorways between 2014 and 2019.

Speaking to protesters, Claire said, “All these coffins are not even the full death toll, it’s the most we could fit in a van! Over 53 families have been devastated by these roads.”

Claire spoke to the WSWS UK Editor Robert Stevens about the protest and fight for justice.

Claire said, “When I started this campaign, I felt that it wasn’t about politics, this is about getting the roads changed. I realise now how incredibly naive I was at the time.

“I found out it was government after government piling this on. And it is the very definition of politics because yet again, they’ve privatised another government department and private companies get their hands on these things. All they want to do is make a profit.

“I’ve even been told directly to my face by either [Transport Secretary] Grant Shapps or [Conservative MP and head of the transport select committee] Hugh Merriman or someone like that, who’ve said, ‘it would be too expensive to turn the hard shoulder back on.’ How do you have the gall to say that to someone’s face when they’ve lost someone on one of these things?

“We [Smart Motorways Kill campaign] have educated the country far more than the government has. Even now, there are people that have never even heard the term ‘smart motorway,’ and even people that have heard the term think it’s something to do with lane closures and signs and things. It was a year ago today that we started translating leaflets into different languages. We found that people whose first language wasn’t English were disproportionately represented in the fatality figure, so we were getting it translated into many languages. The government haven’t done that, they haven’t even done it in English.

“One of the guys on the protest, whose dad was killed on a smart motorway, his mum who is 83 is still doing interviews. He is a professional videographer, he does amazing underwater videos. He lent his expertise and he’s put together this really atmospheric emotional video [of the protest] which reduced most of my family to tears.

“There were people there who had heard some of the interviews on the radio I’d done that morning and just hopped on a train and came. There were people who had scary experiences on smart motorways and realised how close they’d come to being hurt or killed. There was a young guy who was still in a leg brace from his experience. He got dragged along a crash barrier whilst he was on his motorbike. He got pinned and dragged along. His life is never going to be the same, he’s 33 years old and the right side of his body is mangled now.”

The day after the protest, Claire was interviewed on ITV’s *Good Morning Britain* (GMB). She said, “It was the most response they’d had to a live piece in Richard Madeley’s broadcasting career.”

Despite all evidence showing how dangerous the smart motorways are, the government is proceeding with the rollout.

Claire said, “A really good example is the M4 in Berkshire. Not only did it open two weeks ago but it opened with absolutely no technology on it. A few months before that, Shapps said, well we won’t open any more smart motorways without the necessary technology.

“This is why Jason is dead. Stationary Vehicle Detection would have picked him up, and it would have alerted the control room and they would have shut the lane in time. He was there for six minutes before he was killed.

“Then they opened a section of the M4 with no technology in it at all. They’re saying, oh we’re limiting the speeds to 60 mph as a safety precaution until we get round to fitting the technology. But lorries are

limited to 56 mph anyway so 60 mph means absolutely nothing to them. The HGV that hit Jason was only doing 56 mph and it smashed him to pieces.

“Now, to get around their own rules, they’re calling them digital motorways instead of smart motorways—so they’ve just changed the name.”

The day after the Smart Motorways Kill protest, parliament’s Transport Select Committee issued their latest report on smart motorways.

Claire is critical, saying, “All of the parliamentary reports are a disappointment because they’re not enforceable. The 2009, 2011 and 2015, parliamentary transport select committees said absolutely do not do smart motorways. Do not do them in any way, shape or form. The government and Highways England just ignored them.

“This report is far more diluted than before. How it can find they are ok, and it just needs tweaking? Some of the things they’ve been saying like, they don’t recommend turning the hard shoulder back on. It is a damp squib, it’s been watered down.

“When the first two reports were issued, most of the smart motorways weren’t even running. We only had about 29 miles of smart motorways then. Now we’ve got 200 miles and they’re talking about converting another 1,300.

“Now we’ve had 58 deaths, and we’ve had 10 reviews this year alone into smart motorways. It was just ridiculous to read. I mean official organisations were used as their evidence saying that we shouldn’t have a hard shoulder anyway as it encourages people to not maintain their cars! It is victim blaming.”

Claire explained that behind the decision of the government and the muted report of the select committee were considerations of massive contracts available to the private sector in rolling out smart motorways.

“The money, the contracts are getting bigger and bigger, and I think they are starting to get worried that if enough people stand up and push back against this, they will have to get rid of the smart motorways. They are worried about their multi-billion-pound contracts. So, I think the transport select committee has been told ‘Be careful what you say. Make it look plausible, but don’t recommend enforcement’.”

Earlier this year, Claire commissioned an independent expert report into smart motorways. The author of the report, Sarah Simpson, a transport expert at engineering consultancy Royal Haskoning DHV, “came out of writing her report more convinced for the argument against smart motorways than she went into it. She was the one that pointed out, no other, especially European, countries have smart motorways the way that we have them. They’ve all got more safety features and more back-ups. We are the only one that has gone this hell bent for it and completely removed the hard shoulder.

“There was a lot of analysing and comparing and in every way smart motorway came out far worse. The sole purpose of that report was for the judicial review. Because Highways England won’t engage with us. We can’t take them to court. We’ve had this expert report done to get round that. We’ve said to them will you: a) adopt what this report suggests, which is get rid of smart motorways, or b) confirm that you are ignoring us.

“We need them to answer the questions because we have to have an answer to get the case registered in the High Court.

“That just means that in theory if anyone takes legal action against you, as long as you just ignore them you don’t have to deal with it. So, we’ve paid £12,000 for this report which we’ve sent to them, and they are just ignoring us. They’ve had it two or three months now, and they haven’t said a thing. And why would they respond? They know that their response is going to get them into the High Court.

“The one thing that the parliamentary select transport committee has done for us is, they announced they’re going to do another review. So even though Highway England is ignoring our report, they cannot ignore

the select committee report. They must give a response. In our report its saying people are dying each day, and they’re saying we’ll take months to deal with it. As soon as Highways England respond to the select committee report, we can go to the High Court again.

“Already we have 200 miles of smart motorway, and there are only 1,600 miles of motorway in the whole country. They already have 500 miles of road scheduled. They’ve released the plans to dig up the roads, etc.

“Most of the deaths that have occurred so far have happened when there was only 20-100 miles of smart motorways. There was only 29 miles of smart motorways for quite a few years because they were testing the waters. They found out how expensive it was to do them, as they were promising refuge spaces every certain number of yards and safety technology in place.

“It is possible to do safe smart motorways, but we’re talking James Bond style technology! They’re not going to spend that much they will buy the cheapest version.

“The major thing that we’ve been told from the very beginning by Highways England traffic officers who are in the know, is that they will not upgrade what is basically the internet cable going into and down the sides of the road, as obviously there’s hundreds and hundreds of miles connecting each control centre. And its 20/30 years old in some places and cannot cope with the amount of data and information sent down it. So it crashes, or it’s not viewable, or it’s just not useable.

“They are not maintaining anything either, none of the equipment. Jason and Alex’s incident was the worst in recent times in this area.

“Nothing is being learnt. It was a known black spot before Jason was killed in the most horrific manner possible. They are looking liable, and they’ve got all this new talk. But they have never encountered anyone like us before. They are trying to look as though they’re cleaning up their act, but a quarter of the equipment is still not working two years later.”

“When it was announced that we’d managed to get the police to investigate them for corporate manslaughter, Highways England wrote to the DCI [police Detective Chief Inspector] looking into corporate manslaughter charges and said you cannot investigate us for corporate manslaughter because we are a public body, because they are a government-owned department. But the problem is, in order to get their profit, they are registered at companies house as Highways England Limited. So, in the eyes of the law, they are a private limited company.

“They’ve even said this at Jason’s inquest, that we are a public body. But the coroner said you’re Highways England Ltd. Their response was that is just a technicality, but the coroner, in the coroner’s court, said it’s not technical, you are a private company. They said this in front of journalists. So, before the police had even confirmed they were going to investigate, they [Highways England] wrote to them and gave them 15 different laws and precedents as to why they couldn’t investigate them. But the police were told that wasn’t correct, and they should still pursue.”

On the campaign ahead, Claire said, “My phone has been constantly engaged. *Good Morning Britain* tried to get me back on their programme the same day. Richard Madeley said, ‘We’ve never seen this response before, we will come back to you on this probably in the new year.’ Well, I want smart motorways banned in the new year! If you get the right number of people that are prepared to make a little bit of effort it can make all the difference.

“I get hundreds of emails a week saying I hate these smart motorways. Journalists have advised me to say things like I welcome the parliamentary report, but I will not say that!”

The Smart Motorways Kill campaign can be reached at www.smartmotorwayskill.co.uk and on Facebook here and Twitter here. Donations in support of this vital campaign can be made here.



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