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Smart motorways widow warned of more deaths months before child became second to die while stranded on M6



Dev Naran, eight, was killed on the live lane hard shoulder of the M6, just months after a widow of another smart motorway death warned more could perish

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A woman whose husband was killed after becoming stranded on a smart motorway warned Highways England more people could die just months before a child perished at the same spot, The Sunday Telegraph can reveal.

Badra Ahmed pleaded with Highways England bosses to stop turning hard shoulders into 'live lanes' after her husband's inquest heard he had "nowhere to go" when his vehicle broke down on the M6.

And, an investigation by this newspaper found a coroner's report calling for urgent action after Jamil Ahmed's death was not submitted to Highways England. The coroner confirmed the document had now been sent, 21 months after it was promised.

Mr Ahmed, 36, a recovery driver, failed to reach an emergency refuge and stopped on the hard shoulder opened to traffic before his vehicle was hit by a lorry in August 2017 killing him instantly.

Jamil Ahmed was killed on the M6 when all four lanes were open to traffic after his vehicle broke down on the 'live' hard shoulder

At his inquest in January last year, his 38-year-old widow said similar deaths “could happen

again” prompting a Highways England boss to concede “it’s always possible” because staff struggle to spot stationary cars on CCTV and close lanes.

Four months later, Dev Naran, eight, was killed when his grandfather stopped his car on the ‘live’ hard shoulder on the same M6 stretch before a lorry smashed into them. That car was not spotted either.

Despite James Bennett, the then assistant coroner for Birmingham, saying he would send Highways England a report about his fear future deaths could occur the document was never sent.

A spokeswoman for Birmingham Coroner’s Court blamed an “administrative error”.

Dilesh Naran, and his wife Meera, lost their son, Dev, after the car he was in stopped on a live lane hard shoulder on the M6 near Birmingham CREDIT: LORNE CAMPBELL/GUZELIAN

Speaking from her home in Birmingham, Mrs Ahmed, who has now received an official apology from the court, said she was “appalled” the document was not filed.

“Highways England admitted how having nowhere safe to go when someone breaks down means more people could die.

Dev's mother, Meera, has said she is horrified that it has now emerged there have been two deaths after motorists became stranded on smart motorways

“It’s appalling that a coroner’s report that flags concerns and could have made a difference was not submitted.

“If the hard shoulder was not a live lane my husband would have been safe. And, if the coroner had raised a red flag and Highways England acted upon it then perhaps that little boy may not have died.”

A government review has been ordered following increasing concerns over smart motorway safety CREDIT: ALAMY STOCK PHOTO/ DAWSON IMAGES

Meera Naran, Dev's mother (<https://www.telegraph.co.uk/news/2019/10/12/smart-motorways-controversy-escalates-boy-killed-m6-crash/>), added: “How can this not be a case of corporate manslaughter? Highways England has failed twice on a single stretch of smart motorway in the space of months.”

Details of Mr Ahmed's inquest, obtained by The Sunday Telegraph, show his flatbed lorry broke down just 330 yards (300m) from an emergency refuge - a layby shielded from oncoming traffic.

With hazard lights on, the father of two opened the bonnet to try to solve the problem. The vehicle was stationary 135 seconds between southbound junctions 6 to 5 before a lorry careered into it at 55mph.

The lorry driver was not prosecuted because police found he had so little time to react. An officer who attended the scene told the inquest how that section of the M6 is elevated, adding: “Where Mr Ahmed could have gone to be safe, I don't know.”

Jim O'Sullivan, chief executive of Highways England, dodged a question at transport select committee about whether he would feel safe if he broke down on a hard shoulder that was open to traffic CREDIT: HIGHWAYS ENGLAND

The coroner's report, which will arrive on the desk of Jim O'Sullivan, Highways England's boss, says urgent action is needed because motorists don't expect to encounter stationary cars in live lanes. Mr Bennett highlights how those who break down in such circumstances have "limited" options to reach safety (<https://www.telegraph.co.uk/opinion/2019/10/24/time-think-smart-motorways/>), and how some motorways - such as raised sections of the M6 - are not suitable to be made 'smart'.

The coroner's 'fear of future death' report is the second to be sent to Highways England in a matter of weeks.

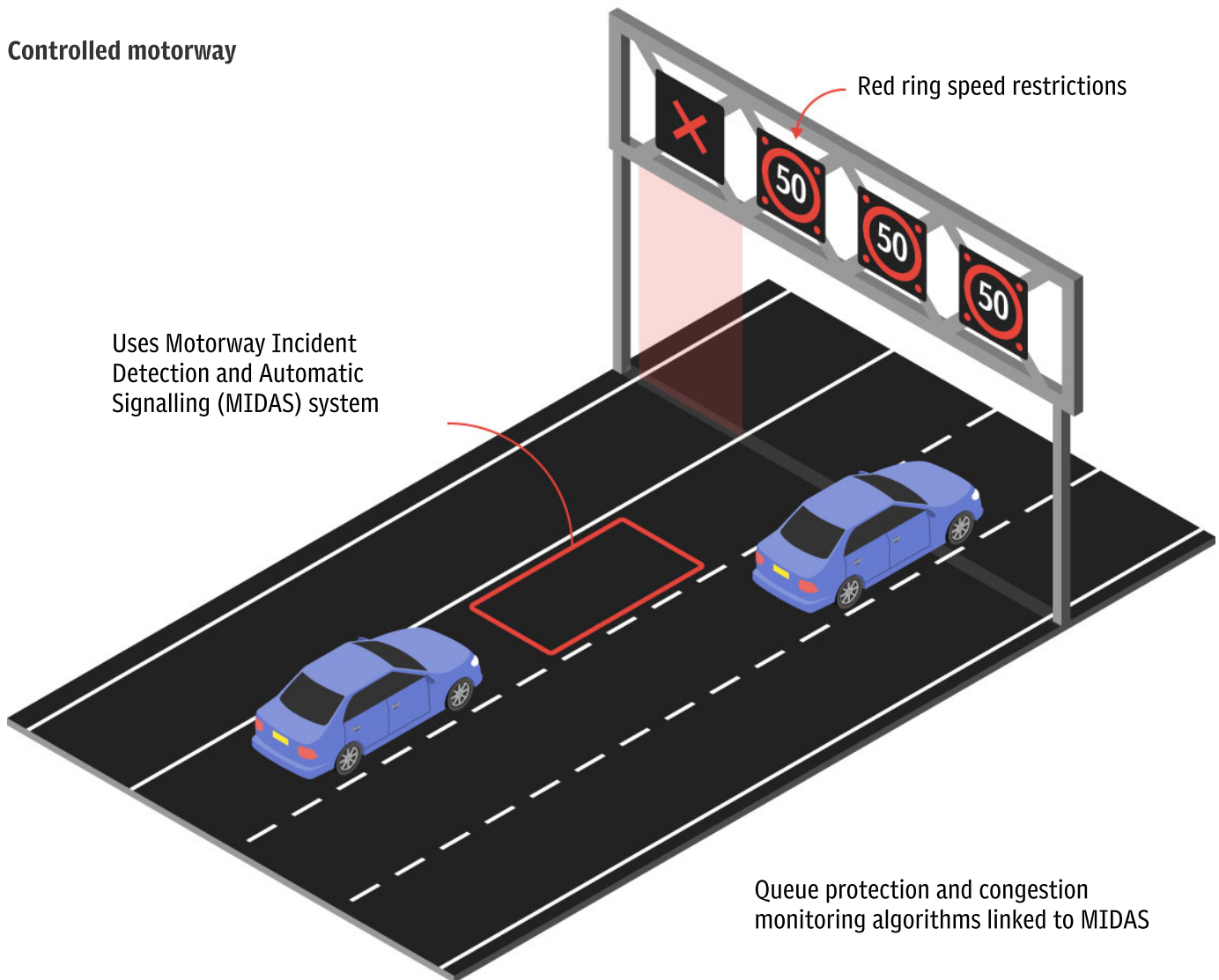
The coroner presiding over Dev Naran's death last month highlighted similar concerns about smart motorways.

Getting smart

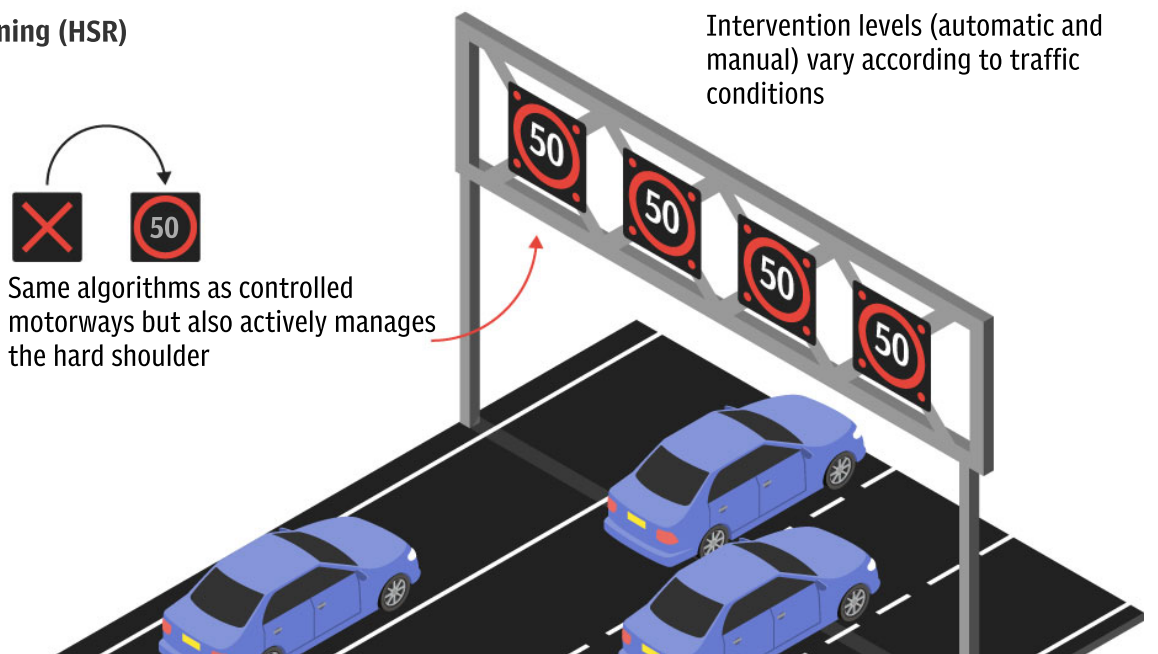
What are smart motorways and how do they work?

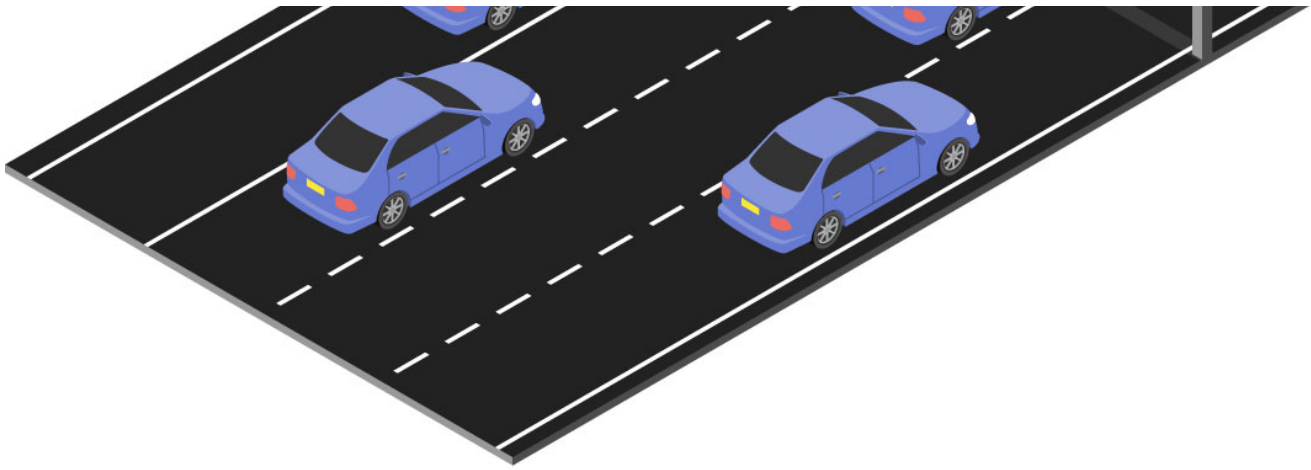
The three types of smart

Controlled motorway



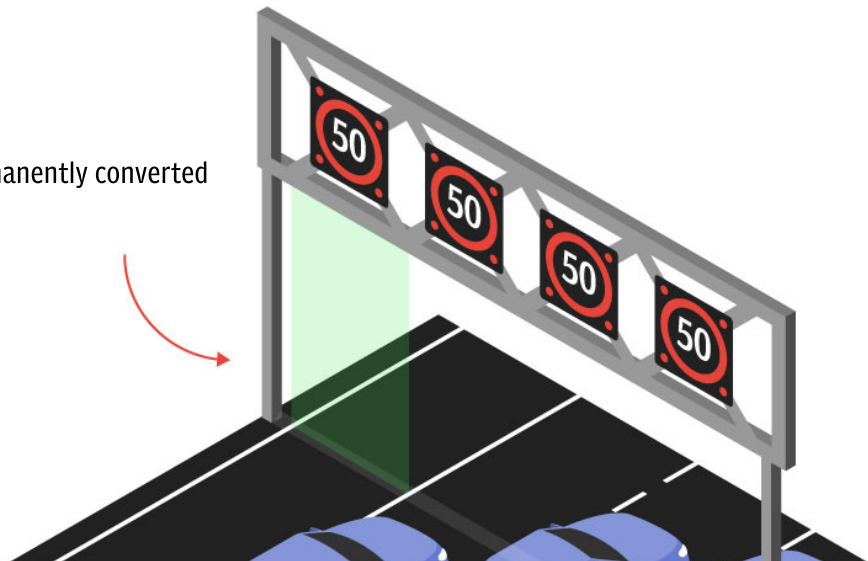
Hard shoulder running (HSR)





All lane running (ALR)

Hard shoulder permanently converted into a running lane



The government has launched a [review into the safety of such motorways](https://www.telegraph.co.uk/news/2019/10/24/smart-motorways-review-wake-telegraph-investigation-driver-safety/) following a [Telegraph investigation that established four motorists](https://www.telegraph.co.uk/news/2019/08/31/smart-motorways-risk-life-says-widow-suing-highways-england/) [stranded on a single stretch of M1 live lane hard shoulder were killed in just 10 months.](https://www.telegraph.co.uk/news/2019/08/31/smart-motorways-risk-life-says-widow-suing-highways-england/)

A spokeswoman for Highways England, a government owned company, said she could not comment due to rules about issuing statements regarding policy in the run up to an election.

Smart decision? | The debate over smart motorways

Ever since their introduction in 2006, there has been a growing clamour of opposition to smart motorways.

Some fear they are little more than cash cows for the Government as increasing numbers of speed cameras capture motorists who fail to obey changing speed limits or a red 'X' barring drivers from a specific lane.

But the greatest controversy surrounds Highways England's insistence the smart motorways – even those where the hard shoulder has been turned into a fourth lane – are safer than conventional ones.

Matt Jacobs, whose father, Derek, 83, was killed in March when his van came to a stop on the M1 smart motorway before being hit by a coach, believes removing the hardline defies all logic.

“Hard shoulders have been a safety feature of motorways since the 1960s when there was a fraction of the traffic there is today,” he told the Telegraph. “With today's volume of traffic, the decision to remove them is murderous negligence and incompetence.”

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Sam Cockerill, spokeswoman for The Campaign for Safer Roadside Rescue and Recovery (<https://www.csrrr.co.uk/>), described Mr Ahmed's death as a “shocking” example of how smart motorways that have had the hard shoulder opened to traffic can become “death traps” for stranded motorists.

“There is simply nowhere to go when your in trouble if your not within a stones throw of a refuge area,” she said.

“These roads are literally becoming stained with the blood of innocent motorists whose only misfortune was to breakdown (<https://www.telegraph.co.uk/news/2019/10/23/smart-motorways-confusing-motorists-highways-england-chief-admits/>).

“Future roll out of such motorways must be stopped and existing stretches upgraded with more refuge areas and every conceivable bit of new safety technology.

“And the brave men and women of the roadside rescue and recovery industry need to be consulted more by Highways England on all aspects of road safety and they too should be granted the right to use red flashing lights to improve their safety when they are rescuing the motoring public.”

Miss Cockerill's partner, Steve Godbold, was killed in 2017 when a lorry strayed onto the hard shoulder of the M25 while the roadside rescue worker was attending to a broken down vehicle.

Claire Mercer, whose husband, Jason, was one of four people to be killed after breaking down on the M1, said: "There's a possibility Dev Naran might not have died if the report had been filed and Highways England heeded fears about hard shoulder being open to traffic.

"But, this is the first we have heard of Mr Ahmed's death on a smart motorway."

Mrs Mercer, who set up campaign group Smart Motorways Kill

(<https://smartmotorwayskill.co.uk/>), and is calling for a judicial review

(<https://www.crowdjustice.com/case/smart-motorway-jr/>), into their safety, added: "The only semblance of good that can come from the death of our loved ones is awareness that saves others"

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