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Rail bid official says suspension unfair

By Rose Jacobs and Mark Odell

A senior civil servant suspended over the cancelled West Coast main line rail contract has hit out at the Department for Transport, saying she fears she is being “unfairly scapegoated for political reasons”.

Kate Mingay, director of commercial and technical services at the DfT, chaired a committee that played a key role in choosing the bid by rail operator [FirstGroup](#) to run the London-to-Scotland line for the next 13 to 15 years.

The decision was challenged by the runner-up in the contest and incumbent on the line, Virgin Rail, prompting an internal review at the department that found flaws in the West Coast franchising process and led to the cancellation of the contract in early October. Mrs Mingay was one of three officials suspended a day later.

Her legal team asked a High Court judge to lift that suspension on Thursday, arguing the government’s grounds were flawed and inconsistent. In evidence to the court, she said she played only a small role in the franchise award relative to more senior colleagues and those directly responsible for the West Coast process, including Peter Strachan, “the senior responsible officer for the [West Coast] project”.

She said: “I feel that I have been unfairly singled out. The DfT’s actions and failures to act since my suspension have only served to reinforce my fears that I am being unfairly scapegoated for political reasons.”

Mr Strachan was unavailable for comment and the DfT declined to comment on the case or on his behalf.

Justice Kenneth Parker adjourned the case until the imminent completion of a human resources review at DfT. That inquiry, being led by Bill Stow, director-general of the Department for Food and Rural Affairs, is set to report its findings on Monday evening.

The government’s legal team successfully argued that a ruling just before the HR report would “[border] on the illogical” and that exceptional circumstances created by the West Coast fiasco justified Mrs Mingay’s suspension.

It did not address Mrs Mingay’s concerns over being singled out, nor her contention that the

contract awards committee handling the West Coast franchise, which she chaired, did not need to seek outside guidance before making its decision on the award.

The case will resume next Friday, which could coincide with publication of an internal investigation into the flawed process. It is understood the report by Sam Laidlaw, chief executive of British Gas owner Centrica and a non-executive director of DfT, and which is now with ministers, will not name individuals.

It was due by the end of this week but was delayed by the DfT.

Lawyers for the DfT told the hearing that they understood a request had been made for Mr Laidlaw's appearance before the transport select committee on Tuesday be delayed. Late on Thursday, the DfT denied making such a request.

A spokesman for Mrs Mingay said she would be happy to answer the committee's questions should she be invited to appear.

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