

Ref: FOI-431

FOI: [REDACTED]

17 May 2024

Sent via email only:
[REDACTED]

Dear [REDACTED],

1. Thank you for your email of 18 April 2024 in which you requested information from UK Anti-Doping ('UKAD') under the Freedom of Information Act 2000 ('the Act'). Specifically, your request was as follows:
 1. *Please can UKAD provide the exact total amount (in GBP Sterling) incurred on external legal counsel [sic], external legal representation, external legal opinions, external providers and external court providers by UKAD throughout all instances of the Freedom of Information case FOI-343 (initial response, internal review, case before the ICO and case before the First Tier Tribunal of the General Regulatory Chamber) between 16th June 2022 and Present. I ask that the total figure includes any amounts incurred from invoices that have yet to be paid.*
 2. *Please can UKAD provide how many athlete ABP passports [sic] have been marked "likely doping" by the three person "Expert Panel" (Adverse Passport Findings) of UKAD's ABP programme between 16th June 2022 and present. Please provide a breakdown by year and sport.*
 3. *How many athletes have been charged, not sanctioned, with ADRVs for abnormalities in their Athlete Biological passports by UKAD since 16th June 2022?*
 4. *In the decision notice "EA/2023/0149: Edmund Willison vs Information Commissioner and UK Anti-Doping" it states:*

- a. 17. *We also observe, in any event, that the opinion of WADA in their letter of 17 October 2023 is subject to some qualifications. First, we have not seen any letter from UKAD by which WADA's opinion was sought, or how that was framed.*
6. *[sic] Please can UKAD provide all correspondence, whether in the form of emails or letters, between UKAD and WADA during which FOI-343 was discussed - before WADA sent the letter dated 17th October 2023 to UKAD.*

External Costs request

2. UKAD confirms that it holds information pursuant to your request at question one (1).
3. From the records and information held, UKAD confirms that the total costs incurred by UKAD on external legal counsel, external legal representation, external legal opinions, external providers and external court providers in respect of the FOI-343 case between 16 June 2022 to 18 April 2024 were £20,541.

ABP Passport request

4. UKAD confirms that it holds the information requested in respect of questions two (2) and three (3).
5. UKAD can confirm that zero (0) ABPs for which UKAD has custody have been marked as 'likely doping' by the three-person 'Expert Panel' between 16 June 2022 to 18 April 2024.
6. UKAD can also confirm that zero (0) Athletes have been charged with ADRVs for abnormalities in their ABP passports between 16 June 2022 and 18 April 2024. For the avoidance of doubt, UKAD further confirms that, as a consequence, zero (0) Athletes have been issued with a ban ('sanctioned') for an ADRV arising from abnormalities in their ABP during the same period.

Correspondence request

7. UKAD confirms that it holds copies of email correspondence between employees of UKAD and the World Anti-Doping Agency ('WADA'), pursuant to question six (6) of your request.
8. UKAD is considering the application of one or more exemptions of the Act in relation to this correspondence. In light of the complexities in assessing the application of the public interest in maintaining the exemption(s), UKAD requires additional time to consider this part of your request (per section 10(3) of the Act).

On this basis, we intend to provide a substantive response to this part of your request by 17 June 2024, being an additional 20 working days from the date of this letter.

Conclusion

9. If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of this response and should be addressed via email to foi@ukad.org.uk. Please remember to quote the reference number above in any further communications.
10. If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

A handwritten signature in blue ink that reads "UK Anti-Doping".

UK Anti-Doping