

**Ref: FOI-442**

[REDACTED]  
Sent via email only:  
[REDACTED]

20 September 2024

Dear [REDACTED]

1. Thank you for your email of 22 August 2024 in which you requested information from UK Anti-Doping ('UKAD') under the Freedom of Information Act 2000 ('the Act'). Your request was for information relating to UKAD's Protect Your Sport ('PYS') initiative.
2. Specifically, your request was as follows:

*'Please provide an overall figure, as well as a breakdown of the different sports involved.'*

1. *Since its launch in November 2020, how many doping reports has UKAD received through the 'Protect Your Sport' initiative?*
2. *How many investigations have been opened based on these reports?*
3. *How many of these investigations are still live?*
4. *How many of these investigations has led to a prosecution?'*

### Summary of Response

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3. UKAD confirms that, subject to the clarifications explained below, it holds the information requested.
4. As more particularly explained below, certain information is not being disclosed. We are withholding this information pursuant to section 31 of the Act on the basis that disclosure of this information would be likely to prejudice the exercise by UKAD of its regulatory function.
5. UKAD discloses some of the data at part 1 of your request, being the number of 'doping reports' received through the PYS initiative. We have set this out at paragraph 7 onwards below.

6. UKAD withholds the information it holds for parts 2 - 4 of your request. We have set out our reasoning for this at paragraph 11 onwards.

### **Part 1 of your request**

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7. UKAD confirms that it holds the information requested. UKAD discloses the information to part 1 of your request, being the number of '*doping reports*' received through the PYS initiative. Please note that UKAD has taken '*doping reports*' to mean reports received through the PYS initiative, irrespective of whether they contain specific information alleging the possible commission of Anti-Doping Rule Violations ('ADRVs') (as that term is defined in the UK Anti-Doping Rules).
8. UKAD can confirm that the total number of reports received via the PYS initiative from its launch up until 31 August 2024 is 534.
9. UKAD confirms that it holds the information requested in relation to the breakdown of the different sports involved in the reports for part 1 of your request. UKAD discloses that from the 534 reports received through the PYS initiative, there were 48 different sports mentioned.
10. However, UKAD is withholding the specific breakdown of sports mentioned in the reports under the exemption provided for in section 31 of the Act, on the grounds that releasing the information would be likely to prejudice the exercise by UKAD of its regulatory function. This exemption is explained in more detail alongside our response to parts 2-4 of your request below.

### **Parts 2 – 4 of your request**

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11. UKAD confirms that it holds the information requested at parts 2-4 of your request. However, we are withholding this information under the exemption provided for in section 31 of the Act on the grounds that releasing the information would be likely to prejudice the exercise by UKAD of its regulatory functions.
12. Section 31 provides as follows:

**Section 31 Law enforcement**

*(1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely, to prejudice –*

...

*(g) the exercise by any public authority of its functions for any of the purposes specified in subsection (2),*

...

*(2) The purposes referred to in subsection 1(g) to (i) are –*

...

*(b) the purpose of ascertaining whether any person is responsible for any conduct which is improper ...*

13. One of UKAD's core functions is the gathering of anti-doping intelligence, and investigation and prosecution of ADRVs. This function falls within section 31(1)(g) of the Act, as it is exercised for the purpose set out in section 31(2)(b) of the Act.
14. UKAD considers section 31 of the Act to be engaged in this context because UKAD must be in a position to confidentially process information and/or intelligence and, where applicable, investigate such information and/or intelligence where it concerns the possible commission of ADRVs. This is particularly important where information and/or intelligence has been provided to UKAD in confidence. Disclosures or prospective disclosures under the Act (or otherwise) potentially compromise this function.
15. The PYS initiative is a key tool for UKAD being able to receive information and/or intelligence from members of the public in confidence, which allows UKAD to then conduct investigations and discover ADRVs. If UKAD were to disclose the information requested, it would undermine the underlying anonymity and confidentiality associated with the PYS initiative. This would be highly likely to have a detrimental impact on the provision of information to UKAD, which is vital for UKAD to carry out its functions falling within section 31(2)(b) of the Act. This is important because UKAD has no general power to compel members of the public to provide information to it, or co-operate with it, and so is reliant on information provided voluntarily.
16. In addition to these considerations, the UK Anti-Doping Rules require that any investigation into a potential ADRV be conducted in accordance with strict requirements of confidentiality, so that all facts and information pertaining to a case remain confidential, except in very limited circumstances as provided for in the Rules. If UKAD were to disclose information which relates to any current investigations (such as the sports those investigations relate to), this would undermine the confidentiality of the anti-doping process. Confidentiality is a key

principle enshrined within the UK Anti-Doping Rules and UKAD's stakeholders, including sports, athletes, and the public, expect and require UKAD to be compliant with the UK Anti-Doping Rules.

17. Having determined to withhold the information pursuant to section 31 of the Act, UKAD has considered the public interest arguments in favour of releasing the information. UKAD recognises the importance of transparency and accountability in general, and specifically in providing the public with more understanding of its PYS initiative<sup>1</sup>.
18. Conversely, UKAD considers that the more important public interest lies in the effective maintenance of the PYS initiative, its investigation and prosecution processes, engagement with members of the public, and compliance with its confidentiality obligations as provided for by the UK Anti-Doping Rules, so that UKAD can work towards its public policy objective of eliminating doping in sport.
19. UKAD has concluded that the public interest in disclosing the information requested is outweighed by the public interest in ensuring the effectiveness of UKAD's PYS initiative in supporting its work towards eliminating doping in sport. UKAD therefore withholds this information under section 31 of the Act.

## Conclusion

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20. 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](mailto:foi@ukad.org.uk). Please remember to quote the reference number above in any further communications.
21. 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



**UK Anti-Doping**

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<sup>1</sup> Please note that UKAD has published statistics relating to the PYS initiative and these can be found here: [A louder whistle: UKAD's intelligence reports boosted. New figures confirm over 180 doping reports were made to UKAD in 2023](#) and more generally here: [Protect Your Sport](#).