

Ref: FOI-330

11 March 2022

[REDACTED]

Sent via email only: [REDACTED]

Dear [REDACTED]

1. Thank you for your letter dated 27 January 2022 in which you requested information from UK Anti-Doping ('UKAD') under the Freedom of Information Act 2000 ('the Act'). Your request was for the completion of a table of information regarding UKAD's testing data of male athletes broken down by:
 - a. Defined categories of sport and sub-categories identified in certain cases, e.g., in the case of cricketers, those competing in the County Championship, in the case of footballers divided by professional league participation from Premier League to the English Football League Two, and tennis players, the top 200 of ATP Singles rankings.
 - b. Specified time periods, i.e., annual, as 1 April to 31 March from 2017 to the current date (or by reference to calendar year in the alternative).
 - c. For each category of athlete in a. and for each period in b., urine and blood samples, the total number of tested samples (whether in or out-of-competition for all competitions), the total number of athletes which provided the relevant samples, the total combined number of Adverse Analytical Findings ('AAFs'), Atypical Findings ('ATFs') and Adverse Passport Findings ('APFs') reported in respect of the samples (collectively referred to in your letter as 'Adverse/ Atypical Findings'), the total number of samples to which the Adverse/ Atypical findings related, and the total number of Adverse/

Atypical Findings where “notwithstanding that the athletes in question did not provide any explanation, defence or a retroactive TUE, UKAD did not pursue as potential Anti-Doping Violations”.

Summary Response

2. UKAD confirms that, subject to the clarifications in the section titled “Breakdown of certain sports by sub-categories” below, as well as the other points made directly, it holds relevant information pertaining to your request. Accordingly, it has completed the table provided, subject to certain necessary adjustments. The table is annexed to this letter.
3. With regard to your request for the number of athletes who provided tested urine and blood samples, UKAD confirms that it holds relevant information. However, UKAD will not be providing information relating to this specific category of data, pursuant to the exemption provided in section 31 of the Act (indicated by a double asterisk ‘**’ in the annexed table). This is more particularly explained below.
4. You have requested the total number of Adverse/ Atypical Findings that, notwithstanding that the athletes in question did not provide any explanation, defence or a retroactive TUE, UKAD did not pursue as potential Anti-Doping Rule Violations. UKAD confirms that it holds this data (subject to the same considerations set out in paragraphs 5-7 below) but we are concerned that providing this data pursuant to the phraseology of your request (particularly the heading in your annexed table) may mislead the public. The reason for this is that there will be legitimate circumstances giving rise to UKAD not pursuing an AAF or ATF which are often complex and/or confidential in nature. You are aware that this is the case, given the reference in your letter to examples of matters that would fall in this category being AAFs and ATFs that may be explained by existing TUEs, departures from International Standards or ingestion by a permitted route. Your wording implies something different. UKAD is therefore not providing this specific sub-section of data at this time (and we have reflected this by way of a triple asterisk ‘***’ in the annexed table). To do so would defeat the purpose of the legislation and/or engage sections 41 and/or 31 of the Act, in the above context, and for the reasons stipulated elsewhere in this letter. If you would like to re-word this particular element of your request, we may reconsider our position.

Breakdown of certain sports by sub-categories

5. You have requested specific categories of data for athletes, broken down by the league or level the athlete competed in at the time of testing. UKAD does not hold this data. The primary reason for this is that we do not record the league or level of the athlete at the time of testing within the Anti-Doping Administration and Management System (ADAMS), as there is no business need to record that information.
6. You have requested this breakdown of data for cricket, cycling, football, rugby league, rugby union and tennis. Subject to the comments made below, UKAD does not hold this data for these sports, for the reason stated above. However, it would be possible to generate the data you have requested by way of cross-referencing information publicly available with the data we have (and we have undertaken this exercise in response to previous FOI requests, see for example, [FOI-300](#)). However, to generate it in the shape and manner you have requested would be disproportionately burdensome for UKAD, as is more particularly explained below.
7. It might be possible, using publicly available (now or archived, not UKAD-specific) information to try to discern where certain athletes were (i.e., which clubs, teams, levels etc.) at any one point in time¹, which would allow for a researcher to cross-reference that data with the testing data UKAD holds for each relevant year, to seek to further cross-reference and sub-categorise the substantial data already supplied in response to this request. However, this would involve combining information held by UKAD with information not currently held by UKAD to generate new information for the purpose of this request. This is not what the Act was designed to do.
8. Further, and in any event, to take such steps for the volume of data in this request would be disproportionately burdensome on UKAD per section 12 of the Act. The collation of the relevant information pertaining to your request has already taken UKAD in excess of the relevant time cost indicated by ICO Guidance. Therefore, we have supplied the information per the adjusted categories (indicated by a single asterisk ‘*’) set out in the attached table.

¹ For example, we note that you have provided this type of information for tennis, specifically the ATP Top 200 Men’s Singles players for each year of your request.

Section 31

9. UKAD confirms that it holds information regarding the number of athletes who provided tested urine and blood samples in any given year. Note, however, that we hold this information for each sport as a whole; we do not hold this information in the manner in which it has been requested, broken down by athlete league and/or level. The specific information that has been requested would have to be generated in the manner described at paragraph 7 above. Notwithstanding that we hold information regarding the total number of athletes who have provided samples within a particular sport, we are withholding this information pursuant to section 31 of the Act, on the grounds that releasing this information would be likely to prejudice the exercise by UKAD of its regulatory function.

10. Section 31(1) of the Act provides as follows:

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) ...

11. Section 31(2) of the Act provides:

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 ...

12. One of UKAD's core functions is to identify and prosecute any Athlete or other Person who commits an ADRV contrary to the applicable Anti-Doping Rules. Such conduct falls within the meaning of 'improper' pursuant to section 31(2)(b) of the Act.

13. It is UKAD's view that publishing the number of athletes who provided urine or blood samples during specific time periods would risk undermining its testing programme. This information, particularly when read in the context of data confirming the number of tests conducted, would give an insight into UKAD's testing strategy and may enable testing patterns to be identified, providing assistance to any athletes who may seek to cheat by attempting to evade testing or avoid the detection of ADRVs. A fundamental principle of drug testing is that it is conducted without advance notice.

14. Having determined to withhold this 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 anti-doping programme².
15. Conversely, UKAD considers that the more important public interest lies in the maintenance of an effective anti-doping programme, so that UKAD can work towards its public policy objective of eliminating doping in sport. Disclosing the specific information requested would undermine the effectiveness of UKAD's testing programme, as it would be likely to reduce both its deterrent effect and its effectiveness in detecting prohibited substances.
16. UKAD has concluded that the public interest in disclosing the number of athletes who provided urine and blood samples in the manner requested is outweighed by the public interest in ensuring the effectiveness of UKAD's testing programme. UKAD therefore withholds this information under section 31 of the Act.

Conclusion

17. 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 the response to your request and should be addressed via email to: foi@ukad.org.uk. Please remember to quote the reference number above in any future communications.
18. If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commission 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

² Please note that UKAD publishes testing statistics every quarter. The data is broken down by National Governing Body and can be found here: <https://www.ukad.org.uk/quarterly-reports-ukads-testing-programme>

UKAD testing figures – provided in response to [REDACTED] request dated 27 January 2022¹

KEY:

- * = alternative category of data provided to that which has been requested
- ** = requested data not disclosed pursuant to s31 of the Act
- *** = requested data not disclosed, as per paragraph 4 of the accompanying letter

Urine samples:

Sport	Category of athlete	Year (in each case 1 April to 31 March)	Number of tested urine samples	Number of athletes who provided tested urine samples	Total combined number of AAFs, ATFs (excluding those instances where the finding was ultimately deemed to be an AAF and is included in the foregoing contemplated AAF statistic) and APFs	Number of samples to which the Adverse/Atypical Findings related	Number of Adverse/Atypical Findings that, notwithstanding that the athletes in question did not provide any explanation, defence or a retroactive TUE, UKAD did not pursue as potential Anti-Doping Rule Violations
Athletics	All Athletes (including para-athletics)	2017-2018	233	**	1	1	***
		2018-2019	296	**	1	1	***
		2019-2020	268	**	1	1	***
		2020-2021	167	**	0	0	n/a
		1 April 2021 – 31 December 2021	167	**	3	2	***
Cricket	All Cricketers*	2017-2018	174	**	0	0	n/a
		2018-2019	209	**	0	0	n/a
		2019-2020	204	**	1	1	***
		2020-2021	152	**	0	0	n/a
		1 April 2021 – 31 December 2021	266	**	1	1	***

1 Please note that, the data supplied in the Annex relate only to tests conducted by UKAD and any sub-contracted sample collection agency on its behalf; the data does not include tests conducted by other bodies such as NGBs and/or any other Anti-Doping Organisation.

Sport	Category of athlete	Year (in each case 1 April to 31 March)	Number of tested urine samples	Number of athletes who provided tested urine samples	Total combined number of AAFs, ATFs (excluding those instances where the finding was ultimately deemed to be an AAF and is included in the foregoing contemplated AAF statistic) and APFs	Number of samples to which the Adverse/Atypical Findings related	Number of Adverse/Atypical Findings that, notwithstanding that the athletes in question did not provide any explanation, defence or a retroactive TUE, UKAD did not pursue as potential Anti-Doping Rule Violations
Cycling	All Cyclists recorded under Cycling Road (does not include para-road cycling)*	2017-2018	173	**	0	0	n/a
		2018-2019	213	**	0	0	n/a
		2019-2020	140	**	0	0	n/a
		2020-2021	44	**	0	0	n/a
		1 April 2021 – 31 December 2021	40	**	0	0	n/a
Equestrian	All Equestrian Riders	2017-2018	0	0	0	0	n/a
		2018-2019	3	**	0	0	n/a
		2019-2020	5	**	0	0	n/a
		2020-2021	0	0	0	0	n/a
		1 April 2021 – 31 December 2021	7	**	0	0	n/a
Football	All Players registered under the FA*	2017-2018	3936	**	9	9	***
		2018-2019	4207	**	13	13	***
		2019-2020	3670	**	7	7	***
		2020-2021	1682	**	1	1	***
		1 April 2021 – 31 December 2021	1860	**	1	1	***
Rugby League	All Rugby League Players*	2017-2018	427	**	6	6	***
		2018-2019	797	**	5	4	***
		2019-2020	608	**	7	6	***
		2020-2021	249	**	1	1	***
		1 April 2021 – 31 December 2021	514	**	5	5	***
Rugby Union	All Rugby Union Players	2017-2018	436	**	4	4	***
		2018-2019	743	**	12	7	***

Sport	Category of athlete	Year (in each case 1 April to 31 March)	Number of tested urine samples	Number of athletes who provided tested urine samples	Total combined number of AAFs, ATFs (excluding those instances where the finding was ultimately deemed to be an AAF and is included in the foregoing contemplated AAF statistic) and APFs	Number of samples to which the Adverse/Atypical Findings related	Number of Adverse/Atypical Findings that, notwithstanding that the athletes in question did not provide any explanation, defence or a retroactive TUE, UKAD did not pursue as potential Anti-Doping Rule Violations	
	registered under the RFU*	2019-2020	662	**	9	5	***	
		2020-2021	388	**	0	0	n/a	
		1 April 2021 – 31 December 2021	453	**	0	0	n/a	
	All Rugby Union Players registered under the SRU and WRU*	2017-2018	387	**	14	11	***	
		2018-2019	598	**	5	5	***	
		2019-2020	567	**	8	8	***	
		2020-2021	171	**	0	0	n/a	
		1 April 2021 – 31 December 2021	251	**	1	1	***	
	Tennis	All Men's players (excluding wheelchair tennis)*	2017-2018	6	**	0	0	n/a
			2018-2019	9	**	0	0	n/a
2019-2020			8	**	0	0	n/a	
2020-2021			7	**	0	0	n/a	
1 April 2021 – 31 December 2021			2	**	0	0	n/a	

Blood samples (includes blood passport samples):

Sport	Category of athlete	Year (in each case 1 April to 31 March)	Number of tested blood samples	Number of athletes who provided tested blood samples	Total combined number of AAFs, ATFs (excluding those instances where the finding was ultimately deemed to be an AAF and is included in the foregoing contemplated AAF statistic) and APFs	Number of samples to which the Adverse/Atypical Findings related	Number of Adverse/Atypical Findings that, notwithstanding that the athletes in question did not provide any explanation, defence or a retroactive TUE, UKAD did not pursue as potential Anti-Doping Rule Violations.
Athletics	All Athletes (including para-athletics)	2017-2018	105	**	0	0	n/a
		2018-2019	153	**	0	0	n/a
		2019-2020	151	**	0	0	n/a
		2020-2021	25	**	0	0	n/a
		1 April 2021 – 31 December 2021	79	**	0	0	n/a
Cricket	All Cricketers*	2017-2018	20	**	0	0	n/a
		2018-2019	76	**	0	0	n/a
		2019-2020	76	**	0	0	n/a
		2020-2021	0	0	0	0	n/a
		1 April 2021 – 31 December 2021	26	**	0	0	n/a
Cycling	All Cyclists recorded under Cycling Road (does not include para-road cycling)*	2017-2018	121	**	0	0	n/a
		2018-2019	190	**	0	0	n/a
		2019-2020	148	**	0	0	n/a
		2020-2021	37	**	0	0	n/a
		1 April 2021 – 31 December 2021	45	**	0	0	n/a
Equestrian	All Equestrian Riders	2017-2018	0	0	0	0	n/a
		2018-2019	0	0	0	0	n/a
		2019-2020	0	0	0	0	n/a
		2020-2021	0	0	0	0	n/a
		1 April 2021 – 31 December 2021	0	0	0	0	n/a
Football		2017-2018	611	**	0	0	n/a

Sport	Category of athlete	Year (in each case 1 April to 31 March)	Number of tested blood samples	Number of athletes who provided tested blood samples	Total combined number of AAFs, ATFs (excluding those instances where the finding was ultimately deemed to be an AAF and is included in the foregoing contemplated AAF statistic) and APFs	Number of samples to which the Adverse/Atypical Findings related	Number of Adverse/Atypical Findings that, notwithstanding that the athletes in question did not provide any explanation, defence or a retroactive TUE, UKAD did not pursue as potential Anti-Doping Rule Violations.
	All Players registered under the FA*	2018-2019	868	**	0	0	n/a
		2019-2020	669	**	0	0	n/a
		2020-2021	0	0	0	0	n/a
		1 April 2021 – 31 December 2021	153	**	0	0	n/a
Rugby League	All Rugby League Players*	2017-2018	84	**	0	0	n/a
		2018-2019	99	**	0	0	n/a
		2019-2020	80	**	0	0	n/a
		2020-2021	2	**	0	0	n/a
		1 April 2021 – 31 December 2021	61	**	0	0	n/a
Rugby Union	All Rugby Union Players registered under the RFU*	2017-2018	55	**	0	0	n/a
		2018-2019	116	**	0	0	n/a
		2019-2020	62	**	0	0	n/a
		2020-2021	0	0	0	0	n/a
		1 April 2021 – 31 December 2021	53	**	0	0	n/a
	All Rugby Union Players registered under SRU and WRU*	2017-2018	47	**	0	0	n/a
		2018-2019	80	**	0	0	n/a
		2019-2020	71	**	0	0	n/a
		2020-2021	0	0	0	0	n/a
		1 April 2021 – 31 December 2021	24	**	0	0	n/a
Tennis	All Men's Players (excluding wheelchair tennis)*	2017-2018	9	**	0	0	n/a
		2018-2019	8	**	0	0	n/a
		2019-2020	5	**	0	0	n/a
		2020-2021	0	0	0	0	n/a

Sport	Category of athlete	Year (in each case 1 April to 31 March)	Number of tested blood samples	Number of athletes who provided tested blood samples	Total combined number of AAFs, ATFs (excluding those instances where the finding was ultimately deemed to be an AAF and is included in the foregoing contemplated AAF statistic) and APFs	Number of samples to which the Adverse/Atypical Findings related	Number of Adverse/Atypical Findings that, notwithstanding that the athletes in question did not provide any explanation, defence or a retroactive TUE, UKAD did not pursue as potential Anti-Doping Rule Violations.
		1 April 2021 – 31 December 2021	1	1	0	0	n/a