

Official

Ref: FOI-256

[REDACTED]
Sent via email only:
[REDACTED]

18 February 2020

Dear [REDACTED]

1. Thank you for your email of 14 December 2019 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 testing of British tennis players by UKAD.
2. Specifically, your request was for:
 - a) *Data for how many British male tennis players are drug-tested over the period of a year.*
 - b) *Data for how many British female tennis players are drug-tested over the period of a year.*
 - c) *Data for how many cases of doping in tennis have been recorded by the UKAD in the last 5 years.*
3. On 21 December 2019, you provided the following clarification to your request:
 - a) *The total number of British male/female tennis players that were tested between the years 2014-2019.*
 - b) *The number of times (frequency) British male/female tennis players were tested in 2019.*
 - c.) *The number of Anti-Doping Rule Violations by British tennis players (in the last 5 years) for which UKAD has results management authority (2014-2019).*

Total number of British male/female tennis players that were tested by UKAD between the years 2014-2019 – part a) of your request

4. UKAD confirms that it holds the information requested. However, we are withholding this information under the exemption provided in 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.

5. 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) ...

6. 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 ...

7. 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..
8. It is UKAD's view that publishing testing data related to male British tennis players and/or female British tennis players for a specific time period would risk undermining its testing program. This information would indicate to male and female British tennis players respectively the likelihood of being tested at any given time. A fundamental principle of drug testing is that it is conducted without advance notice.
9. More generally, it would give an insight into UKAD's testing strategy and may enable testing patterns to be identified, providing assistance to any British tennis players who may seek to cheat by attempting to evade testing or avoid the detection of ADRVs.
10. Having determined to withhold the information in part a) of your request 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 regime.¹

11. Conversely, UKAD consider that the more important public interest lies in the maintenance of an effective anti-doping program, so that UKAD can work towards its public policy objective of eliminating doping in sport. Disclosing the information requested would undermine the effectiveness of UKAD's testing program as it would be likely to reduce both its deterrent effect and its effectiveness in detecting prohibited substances.
12. UKAD has concluded that the public interest in knowing how many male British tennis players and/or female British tennis players have been tested during a specific period is outweighed by the public interest in ensuring the effectiveness of UKAD's testing program. UKAD therefore withholds this information under section 31 of the Act.

Number of times (frequency) British male/female tennis players were tested in 2019 – part b) of your request

13. UKAD confirms that it holds the information requested. In the year 2019, UKAD conducted 12 tests of male British tennis players and 7 tests of female tennis players.
14. Please note that these figures only relate to tests conducted by UKAD and any sub-contracted sample collection agency on its own behalf (which includes contracted testing for the Lawn Tennis Association); they do not include tests conducted by the International Tennis Federation and/or any other Anti-Doping Organisation.

¹ Please note that UKAD publishes testing statistics every quarter. The data is broken down by National Governing Body (including the Lawn Tennis Association) and can be found here: <https://www.ukad.org.uk/quarterly-reports-ukads-testing-programme>

The number of Anti-Doping Rule Violations by British tennis players between the years 2014-2019 for which UKAD has results management authority – part c) of your request

15. UKAD confirms that it holds the information requested. In the period 2014 to 2019 inclusive, there were 0 Anti-Doping Rule Violations ('ADRVs') by British tennis players for which UKAD has results management authority².

Conclusion

16. 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 original letter and should be addressed to: Philip Bunt, Chief Operating Officer, UK Anti-Doping, Fleetbank House, 2-6 Salisbury Square, London EC4Y 8AE. Please remember to quote the reference number above in any further communications.
17. 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

² UKAD also publishes decisions taken in completed ADRV cases on its website for the duration of the Athlete or other Person's ban. Current and historical ADRV cases can be found here: <https://www.ukad.org.uk/sanctions>