

07 September 2023

Ref: FOI-417

[REDACTED]

Sent via email only: [REDACTED]

Dear [REDACTED],

1. Thank you for your email of 9 August 2023 in which you requested information from UK Anti-Doping ('UKAD') under the Freedom of Information Act 2000 ('the Act').

2. In your email you requested:

“ ...

- 1. In the table provided of 8 cases in FOI-369, in which of these cases did UKAD appeal the NADP decision? And to which appeal court?*
- 2. In which of the 8 cases did an International Federation or WADA appeal any of these NADP decisions?*
- 3. As outlined in the 2021 UKAD regulations anonymous summaries of NADP decisions (in which the athlete has been cleared of an ADRV) can be published. In which of the cases (excluding case 1) in FOI-369, does an anonymous summary of the NADP decision exist?*
- 4. Please can provide all of the anonymous summaries that exist for these cases (excluding case 1)?”*

Response – Parts 1 and 2

3. UKAD confirms that it holds information relevant to Parts 1 and 2 of your request.
4. With reference to Part 1 and the table provided in the response to FOI-369, UKAD appealed the first instance decision of the independent National Anti-

Doping Panel ('NADP') in respect of 'Athlete Number 4'. The appeal was to the independent National Anti-Doping Appeal Tribunal.

5. With reference to Part 2 and the table provided in response to FOI-369, none of the Interested Parties (as that term is defined within the UK Anti-Doping Rules ('ADR'), which includes any applicable International Federation and/or WADA) appealed the first instance decisions of the independent National Anti-Doping Panel (save for UKAD in respect of Athlete Number 4, as identified in paragraph 4 above).

Response – Parts 3 and 4

6. With reference to Parts 3 and 4 of your request, UKAD confirms that it does not hold an '*anonymous summary of the NADP decision*' in respect of the cases concerning Athletes numbered 2 – 8, as referenced in the table provided in response to FOI-369.
7. ADR Article 8.5.2, to which you refer to in your request, provides that where an Athlete is found not to have committed an Anti-Doping Rule Violation (as in the cases to which your request relates) the decision shall not be publicly disclosed, but UKAD may produce and publish a summary of the decision. UKAD confirms that summaries of these types of NADP decisions are not produced as a matter of course and, in line with that approach, summaries of the specific cases in your request do not exist.

Conclusion

8. 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.
9. 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

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