

31 March 2023

**Ref: FOI-340**

Sent via email only: [REDACTED]

Dear [REDACTED]

1. Thank you for your email of 16 May 2022 in which you requested information from UK Anti-Doping ('UKAD') under the Freedom of Information Act 2000 ('the Act').
2. In the context of your prior request FOI-332 (<https://www.ukad.org.uk/sites/default/files/2022-05/Substance%20enquiry.pdf>) you requested:

*"Please provide information any information held that relates to meetings/memos/emails/texts/whatsapps etc between FOI team and any other party inside or outside UKAD, from the period commencing February 3<sup>rd</sup> - untill Monday 16th May, 2022.*

*I seek any information held that relates to [your name] or 'BBC journalist' from February 3<sup>rd</sup> - MONDAY 16th May, 2022"*

## Response

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3. Your request FOI-332 resulted in a neither confirm nor deny response ('NCND') in context, the reasons for which were fully set out in UKAD's response. This request appears to somewhat seek to circumvent that position and so UKAD accordingly re-asserts the section 31 (of the Act) position as stated in that letter.
4. In any event, and to the extent relevant, any responsive documents to the latest request would be exempted from disclosure via section 42 of the Act (i.e. legal professional privilege). The same public interest considerations in context apply here (and the relevant conclusions as to balance apply) per paragraphs 7-20 of that response.

5. Further, and in any event, with regard to the specific request regarding your name, i.e. information or data pertaining to yourself, this ought to (have) be(en) done via Subject Access Requests per the Data Protection Act 2018 (and per section 40 of the Act). Any such information would therefore also be exempt from disclosure.

## **Conclusion**

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6. 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](mailto:foi@ukad.org.uk). Please remember to quote the reference number above in any further communications.
7. 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**