

Ref: FOI-467

Sent via email only:

07 April 2025

Dear [REDACTED]

1. Thank you for your email of 10 February 2025 in which you requested information from UK Anti-Doping ('UKAD') under the Freedom of Information Act 2000 ('the Act'). Specifically, your request was as follows:
 - 1) *Between Jan 1st 2015 and 10th February 2025, please can UKAD provide a list of every Adverse Analytical Finding (AAF) in Athletics at UKAD, the substance involved for every one of those AAFs and the outcome/conclusion of every case. Please break down this information into the following years: 2025, 2024, 2023, 2022, 2021, 2020, 2019, 2018, 2017, 2016 and 2015. For all of these AAFs that led to a sanction please could you provide the name of the athlete.*
 - 2) *Between Jan 1st 2022 and 10th February 2025, please can you provide a list of every Adverse Analytical Finding (AAF) in Football at UKAD, the substance involved for every one of these AAFs and the outcome of every case. Please break down this information into the following years: 2025, 2024, 2023, 2022. Please also clarify which AAFs belong to Premier League registered footballers.*
 - 3) *Please can UKAD provide a list of its National Registered Testing Pool (NRTP) and its Domestic Testing Pool (DTP) as of 25th July 2024. The lists should include every athlete, from every sport in each pool.*
2. By email dated 7 March 2025, you clarified that part 2 of your request is for a list of every AAF, between 1 January 2022 and 10 February 2025, in English football (i.e. under the jurisdiction of The FA) only.

Summary of Response

3. UKAD confirms that, subject to the clarifications explained below, it holds the information requested at parts 1 – 3 of your request.
4. In relation to part 1 of your request, UKAD discloses the year (of Sample collection), Prohibited Substance, and the "outcome/conclusion" of each AAF in Table 1 below.

However, the name of each Athlete whose AAF “led to a sanction” (i.e. was upheld as an Anti-Doping Rule Violation (‘ADRV’)) is being withheld from disclosure pursuant to section 40 of the Act.

5. UKAD discloses the information at part 2 of your request in Table 2 below (except in relation to the last two AAFs listed, as more particularly explained below).
6. UKAD is not disclosing the information at part 3 of your request. In doing so, UKAD relies on the exemptions in sections 31 and 40 of the Act.

Part 1 of your request

7. UKAD confirms that it holds the information requested, which is disclosed in Table 1 below (save for the names of the Athletes concerned):

Table 1: Overview of AAFs in Athletics between 1 January 2015 and 10 February 2025

Year	Prohibited Substance	Outcome / Conclusion
2015	clomifene	ADRV
2016	canrenone	No ADRV
2017	clenbuterol	ADRV
2017	metandienone	ADRV
2018	canrenone	No ADRV
2019	canrenone	No ADRV
2019	tamoxifen	No ADRV
2019	tibolone	No ADRV
2019	tibolone	No ADRV
2019	cocaine	ADRV
2021	prednisolone	No ADRV
2022	amfetamine	No ADRV

8. The name of each Athlete whose AAF “led to a sanction” is being withheld from disclosure pursuant to section 40 of the Act. This information constitutes ‘personal data’ as defined in section 3(2) of the Data Protection Act 2018 (‘DPA’) and Article 4(1) of the UK General Data Protection Regulation (EU) 2016/679 (‘UK GDPR’). This is because it is information relating to identifiable living individuals.
9. Section 40(2) of the Act states:

Any information to which a request for information relates is also exempt information if–

- a) *it constitutes personal data which does not fall within subsection (1) [personal data of which the applicant is the data subject], and*
- b) *the first, second or third condition below is satisfied.*

10. Section 40(3A)(a) of the Act states:

The first condition is that the disclosure of the information to a member of the public otherwise than under this Act–

- a) *would contravene any of the data protection principles, ...*

11. Accordingly, UKAD may only disclose this information to you if to do so would not contravene the data protection principles, as set out in Chapter 2, Article 5(1)(a) of the UK GDPR. The first data protection principle states that personal data shall be processed lawfully, fairly, and in a transparent manner in relation to the data subject.
12. The lawful basis on which UKAD processes personal data is contained in Chapter 2, Article 6(1)(e) of the UK GDPR and section 8 of the DPA, being that it is necessary for the performance of a task carried out in the public interest (i.e., eliminating doping in sport). However, pursuant to the Information Commissioner's ('ICO') Guidance Note on section 40 of the Act,¹ UKAD's lawful processing of personal data for this purpose does not extend to disclosure to the general public under the Act.
13. Accordingly, UKAD may only lawfully process (i.e. disclose) this personal data on a different basis. The only two bases that may apply are consent, or if disclosure would be necessary for the purposes of legitimate interests. Consent has not been given for this disclosure.
14. For UKAD to lawfully process this data on the basis that it is necessary for the purposes of legitimate interests, all three of the following criteria must be met:
- (a) the purpose of disclosure is a legitimate interest;
 - (b) disclosure must be necessary for that purpose; and
 - (c) the legitimate interest outweighs the interest and rights of the individuals.
15. UKAD has concluded that, while the purpose of any disclosure here would be a legitimate interest and there is a prospect that disclosure might be necessary for that purpose, the legitimate interest does not outweigh the interests and rights of

¹ <https://ico.org.uk/for-organisations/foi/section-40-and-regulation-13-personal-information/>

the relevant Athletes in this case. It is UKAD's position that the relevant further disclosure would not be fair or lawful, as explained further below.

16. UKAD publishes the name of Athletes (or other persons) who have committed an ADRV in accordance with the applicable anti-doping rules, the UK National Anti-Doping Policy ('the Policy') and the World Anti-Doping Code ('the Code'). Specifically, when an Athlete (or other person) is issued with a 'period of Ineligibility' (i.e. a ban) for an ADRV, Article 14 of the Code places a specific obligation on UKAD to publish information relating to an ADRV, including the sport, the anti-doping rule(s) violated, the name of the Athlete (or other person) who committed the violation, the Prohibited Substance(s) involved, and the ban imposed. Whilst an Athlete (or other person) is serving a ban for an ADRV, UKAD is able to process their personal data (i.e. their name) because it is able to satisfy the data protection principles, as set out in Chapter 2, Article 5(1)(a) of the UK GDPR.
17. Once an Athlete's (or other person's) ban has expired, the obligation placed on UKAD by Article 14 of the Code is no longer applicable. Disclosure of this information would not satisfy the data protection principles, as set out in Chapter 2, Article 5(1)(a) of the UK GDPR, to justify processing an Athlete's (or other person's) personal data. When a ban imposed on an Athlete (or other person) has concluded, the details of that ban are anonymised (i.e. the name of the Athlete (or other person) are removed from the UKAD website). The remaining details (the sport, the anti-doping rule(s) violated, the Prohibited Substance(s) involved, and the ban imposed) remain published but are moved to the 'Historical Sanctions' section of the UKAD website.²
18. Further, given the above includes information which might pertain to the relevant individuals' health status, including the names of the Athletes whose ban has expired in Table 1 above may also mean the provision of special category data. For completeness, UKAD's position is that, to the extent such disclosure may constitute processing of special category data, it also does not consider any of the relevant conditions (as per Article 9 of the UK GDPR) to the prohibition generally on processing such data apply here. UKAD has a specific 'anti-doping derogation' for processing special category data in connection with its public purposes (paragraph 27, Schedule 1, Part 2 of the DPA). However, in UKAD's view, the derogation does not extend to the type of processing which might be required to fully disclose the information relevant to this part of your request.

² <https://www.ukad.org.uk/sanctions>

Part 2 of your request

19. UKAD confirms that it holds some of the information requested, specifically: the year (of Sample collection), Prohibited Substance, and “outcome” of each AAF, which is disclosed in Table 2 below.
20. UKAD does not hold information relating to the particular league each and every player’s club belonged to at the date of Sample collection. However, UKAD has answered this part of your request in good faith, by cross-referencing the information it holds, with information that is otherwise available in the public domain. UKAD has therefore confirmed whether or not each AAF arose from a Premier League player in Table 2 below.

Table 2: Overview of AAFs in English Football between 1 January 2022 and 10 February 2025

Year	Prohibited Substance	Outcome / Conclusion	Premier League?
2022	amfetamine	No ADRV	No
2022	tamoxifen	No ADRV	No
2022	tamoxifen	No ADRV	No
2023	triamcinolone acetonide	No ADRV	No
2023	dorzolamide	No ADRV	No
2024	triamcinolone acetonide	No ADRV	No
2024	methylprednisolone	No ADRV	Yes
2024	Not disclosed	Not disclosed	Not disclosed
2024	Not disclosed	Not disclosed	Not disclosed

21. Whilst UKAD holds the requested information relating to the last two AAFs listed in Table 2 above, we are withholding this under section 31 of the Act as releasing it would be likely to prejudice the exercise by UKAD of its regulatory functions.

Section 31 – Law enforcement

22. Section 31 of the Act 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,

23. One of UKAD's core functions is the 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.
24. It is UKAD's view that disclosing the requested information relating to the last two AAFs listed in Table 2 above would be likely to prejudice this function. This is because they are still subject to an investigation and/or ongoing ADRV proceedings to determine whether any further action is required in accordance with The FA's Anti-Doping Regulations ('the FA ADR'). Releasing any information in respect of them at this stage may therefore prejudice those specific investigations and/or ongoing ADRV proceedings.
25. Releasing the requested information relating to the last two AAFs listed in Table 2 above would also be likely to prejudice UKAD's investigation and prosecution function more generally. The FA ADR 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 remains confidential, save to the extent that they are ultimately included in any decision published at the end of the process.
26. If UKAD were to disclose information which remains relevant to any current investigation and/or ongoing ADRV proceedings, this would undermine the confidentiality of that anti-doping process. To do so would jeopardise UKAD's relationship with the sporting community to such an extent that it would be likely to lead to a lack of co-operation by sports, teams, or Athletes in the Testing programme and any subsequent investigations or prosecutions, if not a refusal to participate at all.
27. Having determined that disclosure of the information relating to the last two AAFs listed in Table 2 above would be likely to prejudice the effective investigation and prosecution of ADRVs, UKAD has considered the public interest arguments in favour of disclosure. UKAD recognises the importance of transparency and accountability in general, and specifically in providing the public with more understanding of how it investigates potential ADRVs.

28. However, UKAD considers that the more important public interest lies in the maintenance of an effective investigation and prosecution process, so that UKAD can work towards its public policy objective of eliminating doping in sport. Disclosing the information requested in relation to the last two AAFs listed in Table 2 above would be likely to harm those processes.

AAFs and ADRVs

29. Please note in the context of parts 1 and 2 of your request that there may be various reasons why the detection of an AAF in a Sample does not automatically lead to an ADRV. For example, an Athlete who returns an AAF may have a Therapeutic Use Exemption ('TUE') which permits them to use a Prohibited Substance or Prohibited Method contained in the Prohibited List when such use or administration is necessary to address a legitimate medical requirement.³
30. Alternatively, an Athlete may be able to show that a Prohibited Substance was ingested via a permitted route (as outlined in the Prohibited List), or that it was derived from the ingestion of a substance that is itself permitted (for example, morphine derived from the ingestion of codeine). The application of relevant Technical Documents and Technical Letters issued by the World Anti-Doping Agency ('WADA') may also mean that an AAF in a Sample does not necessarily lead to an ADRV.

Part 3 of your request

31. UKAD confirms that it holds the information requested. However, UKAD is withholding this information under the exemption provided for in section 31 of the Act on the grounds that its disclosure would be likely to prejudice the exercise by UKAD of its regulatory functions.
32. UKAD's core functions as a regulator include maintaining an effective Testing programme in order to detect and deter doping in sport. 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.
33. Pursuant to the Code and International Standards⁴, and to safeguard its effectiveness, all stages of UKAD's Testing programme are confidential, and so specific information generated by or derived from it, including the name(s) of any

³ Further information about the TUE system is available on the UKAD website [here](#).

⁴ <https://www.wada-ama.org/en/resources/world-anti-doping-code-and-international-standards>

Athlete(s) in the NRTP or the DTP on any specific date, will only be published if it is determined that an ADRV has been proved.

34. If UKAD were required to disclose the information at part 3 of your request, this would inherently risk undermining its Testing programme and its ability to detect and deter doping in sport. Disclosure of the names of every Athlete in the NRTP or the DTP on any specific date would indicate to all Athletes generally, the level of performance typically needed to warrant inclusion within the NRTP or the DTP and/or the likelihood of being included in the NRTP or the DTP (and therefore the likelihood of being tested at any given time). This risk is heightened particularly in relation to Athletes approaching the level of performance of another Athlete already in the NRTP. This is because such Athletes may look to avoid inclusion within the NRTP, specifically in order to ensure that UKAD does not have an obligation to plan at least three (3) Out-of-Competition tests on them in a single year, as per the Comment to Article 4.8.6.1 of the WADA International Standard for Testing and Investigations ('the ISTI').
35. Furthermore, were UKAD to disclose the names of every Athlete in the NRTP or the DTP on any specific date, this would risk particular Athletes being able to compare themselves with other Athletes within the NRTP or DTP from their sport, and consequently identify that UKAD holds intelligence about them. This is because UKAD may decide to include an Athlete in the NRTP or the DTP as a result of the intelligence it receives.

Section 40 – Personal information

36. UKAD is also withholding the information at part 3 of your request under the exemption provided for in section 40 of the Act. This is on the grounds that it constitutes 'personal data', which if disclosed would contravene the data protection principle that personal data shall be processed lawfully, fairly, and in a transparent manner in relation to the data subject (as set out in Chapter 2, Article 5(1)(a) of the UK GDPR).
37. As explained at paragraph 12 above, the lawful basis on which UKAD processes personal data is for the public interest of eliminating doping in sport. However, UKAD's lawful processing of personal data for this purpose does not extend to disclosure to the general public under the Act.
38. Consent has not been given by the data subjects for disclosure of the personal data at part 3 of your request. Therefore, UKAD may only disclose this information if it would be necessary for the purposes of legitimate interests.

39. UKAD acknowledges the legitimate public interest in transparency and accountability in general, and specifically in providing the public with more understanding of its anti-doping regime. However, it is UKAD's view that disclosing the information at part 3 of your request would not be necessary to achieve that purpose. The reasonable expectation of Athletes in the NRTP or the DTP is that their personal data will only be processed for the purposes of UKAD's Testing programme. As explained at paragraph 33 above, all stages of UKAD's Testing programme are confidential, and so specific information generated by or derived from it, including whether an Athlete is included in the NRTP or the DTP, will only be published if it is determined that an ADRV has been proved. Therefore, UKAD does not have a lawful basis to disclose the information at part 3 of your request.

Conclusion

40. 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. Please remember to quote the reference number above in any further communications.
41. 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