

RESPONSES TO SUNDAY TIMES

UK Anti-Doping takes the allegations made against Dr Bonar with the utmost seriousness. We are grateful to the Sunday Times for its extensive and rigorous work in this regard. Investigative journalism has once again shown that it has the ability to unearth information that authorities like UKAD do not have the jurisdiction or resources to pursue.

UKAD is fully committed to fighting doping across all sport. Anti-Doping is a complex area and often a sensitive process. UKAD can only act on information available at the time. Any investigation that ultimately leads to doping in sport being identified and dealt with is welcomed.

The media, and the information they seek out, are vital to the ongoing fight against doping in sport. UKAD has already requested that the Sunday Times shares all of its information with us so that we can investigate as thoroughly as possible. Where lessons can be learned they most certainly will be, in the light of information now available that was not available at the time.

UKAD's sole mission is to protect clean athletes and clean sport. As an arm's length body to Government, our purpose and mandate are clear, to uncover and prosecute those who cheat and contravene the spirit of sport.

We will vehemently pursue any avenue that indicates that an athlete is doping or their support personnel are assisting them.

UKAD uses the National Intelligence Model to assess all information that comes into our possession. This is the same process used by law enforcement agencies. This model enables us to determine the credibility and usability of that information. To avoid possible vexatious and spurious accusations, we scrutinise each piece of intelligence and will only take immediate action when the intelligence indicates that it is appropriate to do so.

THE CASE IN QUESTION

In relation to this specific case, UKAD interviewed a sports person in April and May 2014, accompanied by his lawyer, on the basis that he hoped to reduce his sanction by providing substantial assistance. The sports person provided UKAD with over 100 names, 69 of which related to sport.

One of those names was that of Dr Bonar and the Wellness Clinic – this was the first and only time that this doctor's name has been brought to UKAD's attention.

The sports person claimed that he had visited Dr Bonar seeking treatment for a low testosterone condition. He also told another doctor xxx*, that he had this condition. The sports person informed UKAD that he was suffering from other medical conditions as well. The sports person told UKAD that he had been prescribed testosterone and EPO by Dr Bonar.

During two of those interviews, the sports person alleged that Dr Bonar was providing performance enhancing substances to an unspecified boxer. UKAD asked the sports person for the details of the boxer, and any other athletes which Dr Bonar was treating, and sports person confirmed that he didn't know the specific details:

EXTRACT FROM INTERVIEW

- *Q11 Mr Myhill: Do you know if Mark Bonar is providing the same kind of service to any athletes?*
- *A11 Sports person: Yes.*
- *Q12: Mr Myhill: And do you know who those athletes are?*

- *A12 Sportsperson: No, I know there is a boxer that he works for, he said that he was working with the boxer who had had a big fight in Vegas about two years ago, no, less than that, so I don't know.*
- *Q13 Mr Myhill: But you don't know any more details of the boxer?*
- *A13 Sportsperson: No, other than he's a boxer.*

INVESTIGATIONS INTO DOCTORS BONAR AND XXXX*

As part of the interviews, the sportsperson also referred to xxxx* at the Centre for Health and Human Performance. UKAD interviewed and investigated xxxx* in depth and at the end of that investigation concluded that allegations made by the sportsperson were unfounded.

UKAD has the power only to investigate athletes and entourage (including medics) who are themselves governed by a sport.

UKAD commenced an investigation into Dr Bonar, following the sportsperson's interview. UKAD found that there was nothing to indicate that Dr Bonar was governed by a sport.

UKAD recommended to the sportsperson that more information was needed and indeed that information could be passed, if appropriate, to the General Medical Council, which does have the powers to investigate possible medical malpractice and pursue if necessary.

UKAD encouraged the sportsperson to obtain evidence, to go through his files to see if he had any useful documents, to recall names, to keep in touch with investigators – anything which may be deemed as helpful to the investigation.

Indeed, in Ms Shevill's email (to sportsperson's lawyer) on 12 August 2014, she said:

'As to the information regarding the doctor who xxxx says prescribed him with EPO, it does not appear that UKAD would have jurisdiction to issue anti-doping disciplinary proceedings against this individual. We can however pass this information to the General Medical Council for them to investigate and pursue if appropriate.*

In Ms Shevill's email (to the sportsperson's lawyer) on 29 August 2014, she said:

"UKAD has reviewed the transcript of the interviews with xxxx and there is insufficient detail for us to bring anti-doping disciplinary proceedings against xxxx* and the doctor.*

"If xxxx wishes to provide UKAD with more evidence against these individuals, he will need to do this by way of a signed written statement setting out everything he knows, including any documentary evidence he might have, in relation to anti-doping rule violations.*

"To be clear, we would expect to see details of how he knows xxxx, what interactions he has had with him etc. We would also need the precise details of the supply of the PEDs – date, time and places, circumstances, details of conversations, financial transactions (and any associated records), and any substances that he still has would have to be given to us and exhibited.*

"Any other records such as letters, emails, text messages, Facebook conversations or anything else should be produced to corroborate his evidence."

(*this has been redacted for confidentiality reasons).

The sportsperson wrote to UKAD in October 2014 asking for an update. Following UKAD's emails in August 2014, the sportsperson had not provided any further evidence. UKAD's investigator was in touch with the sportsperson to try to help him remember facts and to encourage him to provide us with more information and evidence. This

was because UKAD found that the level of detail or evidence that the sportsperson was able to provide was not substantial enough on its own to bring about further action.

UKAD had no corroborating intelligence to substantiate the sportsperson's claim against Dr Bonar, which is why UKAD approached the sportsperson for further information and evidence that could further substantiate his claim and strengthen the intelligence which UKAD had on Dr Bonar.

Some of the information passed to UKAD by the sportsperson in his interviews did, where appropriate, result in action being taken by UKAD, including targeted testing and a collaborative operation with law enforcement partners. From all the action taken, no other violations were uncovered. These did not uncover any evidence of anti-doping rule violations.

UKAD received prescriptions from the sportsperson in October 2014. The sportsperson claimed to have been issued these prescriptions by Dr Bonar. UKAD consulted an independent medical expert to verify the authenticity of the prescriptions and to determine whether the substances prescribed (testosterone and EPO) could have been used for the treatment of the sportsperson's medical condition.

After assessing all the evidence as per the National Intelligence Model, UKAD did not believe that there were grounds, at that point, to refer the case to the GMC. UKAD is aware of the GMC guidelines.

SUBSTANTIAL ASSISTANCE

There is an important distinction between useful information and information which constitutes 'substantial assistance'. The information provided by the sportsperson was assessed in detail but did not meet the definition of 'substantial assistance' in the World Anti-Doping Code.

Not every piece of information will be strong enough to bring about anti-doping disciplinary proceedings. The stronger the evidence provided to UKAD, the stronger the case and chance of success in stopping those who seek to damage clean sport.

FOOTBALL STATISTICS

As regards the testing of footballers – the statistics you ask for are set out below:

	2011-12	2012-13	2013-14	2014-15
Premiership	410	440	479	721
Championship	296	292	304	501
League One	179	193	230	358
League Two	188	209	212	328
Total	1,073	1,134	1,225	1,908

With regards to the figures above: UKAD considers one test to be collection of one sample; those statistics do not include Testing conducted on youth teams, U21 squads, Women's Super League teams, England teams and other tests conducted on Players outside of the Professional and Football Leagues.

You requested that the number of tests per season be broken down by club. UKAD considers that this information is exempt from disclosure because that disclosure has significant potential to undermine the efficacy of the UKAD Testing strategy.

It potentially permits players participating in those clubs in each of the football leagues to be able to determine if they were likely to be subject to Testing at a given point in the season. In such circumstances, UKAD says that the publication of this information would prejudice its ability to meet its public function to protect clean sport and thereby would otherwise prejudice, or would be likely otherwise prejudice, the effective conduct of public affairs.

THE ROLE OF NICOLE SAPSTEAD

Nicole Sapstead was aware of the sportsman's case as in 2014 she was Director of Operations – under which the investigations and intelligence unit reported. However, as is the case with all possible anti-doping rule violations Nicole was not sighted on the detail of the investigation or the interviews conducted. All staff at UKAD are only informed of ongoing cases on a need to know basis to protect informants and the security of intelligence. Once a prima facie case is established the decision to prosecute is made by the Legal Director.