

Anti-Doping Awareness in Sports

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Lecture -27

Intelligence Gathering

Good morning ladies and gentlemen, and welcome to lecture 2 of week 6 of the course on anti-doping awareness for sports. We hope that you have been having a good time doing this course so far and are finding it informative. I am Colonel Dr. Anup Krishnan and I will be speaking to you today about intelligence gathering. So, as we saw in lecture one of week six, there is a robust investigation system available which deals with investigation of all the ADRVs and all the circumstances surrounding the ADRVs which may have developed because of the ADRV or because of which the ADRV has been found out. Now, once you investigate an ADRV there may be a lot of data or intelligence which is generated and so there are certain guidelines which are laid down to allow for proper gathering of this intelligence, proper collation of this intelligence, proper analysis of this intelligence. And if the intelligence is time bound, then how to act upon this intelligence so that evidence and ADRV can be picked up in a time bound and effective manner with all the safeguards in place.

So with this introduction, let's begin. I will be covering this topic as per the following outline, introduction, objective, gathering of intelligence, assessment and analysis, intelligence outcomes, and we will conclude with a take-home message. So, To introduce this topic, gathering, assessment and use of intelligence is governed under Article 11 of the International Standards for Testing and Investigation or ISTI. The objective of Article 11 is to establish standards for the efficient and effective gathering, assessment and processing of such intelligence for these purposes.

What is this intelligence? Basically, when you investigate an ADRV, you come to know about so many incidences, so many occurrences, so many places, so many locations, so many people who are doing or contributing something for this ADRV. All this data is called intelligence. And that is all it is. It has been realized that testing alone is not sufficient to detect and establish to the requisite standard all the anti-doping rule violations as identified in the code. Now, if you use any prohibited substance or

prohibited methods, it may be uncovered when you analyze the sample.

However, the other code ADRVs, can usually only be effectively identified and pursued through the gathering and investigation of non-analytical anti-doping intelligence and information. What it means is very simple. If you use a prohibited substance or method, it can be picked up when your sample is analyzed. All the other ADRVs as per the WADA code can only be identified and investigated if you have very good anti-doping intelligence available. So this means that anti-doping organizations need to develop efficient and effective intelligence gathering and investigation functions.

Without this, they will only be picking up the use and abuse of prohibited substances and prohibited methods. Nothing else, no other ADRV can be investigated or prosecuted. So what is the objective of this? Anti-doping organizations shall ensure they are able to obtain, assess and process anti-doping intelligence from all available sources. Why should they do it? They should do it to help deter and detect doping, to inform the development of an effective intelligent and proportionate test distribution plan. As we know, the test distribution plan is the backbone of every anti-doping effect.

To plan target testing and to conduct investigations as required by the core article 5.7. So gathering of anti-doping intelligence. Anti-doping organizations shall capture or receive anti-doping intelligence from all available sources, including but not limited to athletes and athlete support personnel, Obviously, they have to be spoken to, they have to be investigated, they have to be assessed so that they will be able to give more data, more intelligence about who has helped them, how they have been helped, how they have done this AIDRV. All that can be picked up.

Members of the public. Usually, the anti-doping organizations, they organize or They establish a confidential telephone hotline, wherein any member, any person can call up without revealing their identity, give data or give intelligence about any ADRV. Data can be picked up from sample collection personnel, that is the DCO and the chaperone, and even the reception staff posted in the doping control station. Data can be picked up by laboratories. Intelligence and evidence can be developed from pharmaceutical companies, other anti-doping organizations, WADA, national federations, international federations, sporting bodies, etc.

Data and intelligence can also be developed from law enforcement, other regulatory and disciplinary bodies. And last but not least, data can definitely be developed from the media, all different types of media. While this gathering of anti-doping intelligence is going on, Anti-doping organizations should have robust policies and procedures in place to ensure that the anti-doping intelligence captured or received is handled securely and

confidently. You have to protect your sources of intelligence, otherwise nobody will be forthcoming to offer you any more intelligence in future. You have to ensure that there is no leak or inadvertent disclosure of this intelligence or data collection.

And if there is any leak or inadvertent disclosure, it is properly addressed. You have to ensure that the intelligence which is shared to them by the law enforcement or other relevant authorities and or other third parties is processed, used and disclosed only for legitimate antidoping purposes. This is a very sensitive and legal aspect of this antidoping intelligence. Number one, you have to ensure that whatever data is received is kept safe and confidential. Whoever are your sources of intelligence, they are protected and their identity is not disclosed to any unauthorized or unnecessary person or agencies.

You have to plug all your leaks and make sure no more leaks and inadvertent disclosure is done of this data, of this identity and of this intelligence. You have to ensure that The data or intelligence which is shared with you by other law enforcement agencies is processed, used and disclosed only for legitimate antidoping purposes with proper safeguards and under legal policies. If not, no other agency will be willing to share anything with your anti-doping organization. So please be very careful. Please be very ruthless and please be very rigid in adhering to the anti-doping intelligence data policies.

Once you gather all the intelligence, you are supposed to assess and analyze it. So anti-doping organizations shall ensure that they are able to assess all the anti-doping intelligence upon receipt for relevance, reliability, and accuracy. I will also add a caveat here. If the intelligence received is time-bound, the reliability, accuracy, and relevance estimation should be very very quick and the intelligence should be acted upon in a time bound manner. You have to take into account the nature of the source and the circumstances in which the intelligence has been captured or received.

Now, there are different types of intelligence and each intelligence has got a grading depending upon its Reliability and rating depending upon its authenticity. Now, there is something called human intelligence. Human is not very reliable unless it is authenticated by another source of intelligence. Because very simply, people can lie. The other source of intelligence is signal intelligence or electronic intelligence, which may be developed by eavesdropping or by interception of their communications.

Now, this is supposed to be more reliable and more relevant. So, depending upon the nature of the intelligence, you are supposed to grade it and you are supposed to act accordingly. There are various models that may be used as the basis for the assessment and analysis of anti-doping intelligence. There are also databases and case management systems that may be used to assist in the organization, processing, analysis and

cross-referencing of such intelligence. Usually, all the data collected is cross-referenced because during the process of cross-referencing, a lot of other intelligence or a lot of other data may be generated, which may be of relevance to somebody.

All anti-doping intelligence captured or received by an anti-doping organization should be collated and analyzed to establish patterns, trends and relationships. If you do not collect it, collate it and analyze the data, you will not be able to derive any conclusion out of it. You will not be able to establish any pattern, any trends or any relationships from this data. This will assist the anti-doping organization in developing an effective anti-doping strategy and or in determining whether there is a reasonable cause to suspect that an ADRV has been committed. This will also help the anti-doping organization to detect that a further investigation is warranted in accordance with Article 12 and the international standards for results management.

Intelligence outcomes. The anti-doping intelligence shall be used to assist for the following purposes. Developing, reviewing and revising the test distribution plan. To determine when to conduct target testing and in each case in accordance with Article 4. If you have intelligence saying that such and such individual is indulging in doping, You can develop this intelligence and conduct target testing of that individual when he is not suspecting that a dope testing sample will be collected. You can also create targeted intelligence files which can be referred for investigation in accordance with Article 12 later.

So you can pounce when the individual is least suspecting it later. Anti-doping organizations should also develop and implement policies and procedures for the sharing of intelligence. This intelligence may be shared with other anti-doping organizations, with law enforcement or any other relevant regulatory or disciplinary authority. What it means is when you are investigating an anti-doping rule violation, if you find evidence that a crime has been committed, which does not fall under the WADA code. It may fall under the police.

It may fall under the enforcement authority. It may fall under the customs authority or any other such authority. Then you are authorized to share this data and evidence with the other authorities so that they may proceed against the individual as per their rules and regulations. Intelligence Outcomes: Anti-doping organizations should develop and implement policies and procedures to facilitate and encourage confidential sources, as outlined within the WADA's Confidential Source Policy available on the WADA's website. Basically, it means to say that you should Cultivate confidential sources and confidential informants.

Or as they say in Hindi, you have to cultivate khabaris. Now again, all this data, all this intelligence, all this cross-referencing, all this relevant incidences, data, data from CIs have to be stored somewhere. Where is it stored? It is stored in the intelligence and investigations module of the atoms. It is now becoming easier for collation, cross-referencing and action upon the data because of this module which is present in atoms and the data remains in atoms for posterity. What is the conclusion? So anti-doping investigation system is a WADA approved program.

Intelligence gathering, analysis and assessment is a very important component of this program. All the intelligence gathering activities must be conducted with data and identity protection precautions. Basically, please ensure all the data, intelligence and identity of people are handled on a need-to-know basis. Should be given to somebody only if they need to know. If they do not need to know, it should not be handed over to them.

Athletes and support personnel identities may have to be kept secret. Not may have to be kept secret, should be kept secret. Otherwise, nobody will give you any more data or intelligence in the future. Data from intelligence gathering may be used for prosecution, strategy planning, and for further investigations. These are the references which I have used in preparing this lecture, and I strongly urge you to go through them if you are interested in delving deeper into this topic.

Thank you for your time, your patience, And your effort in doing this course. Thank you for your time and patience ladies and gentlemen. Thank you and Jai Hind.