

Investigative and Substantial Assistance Interviews

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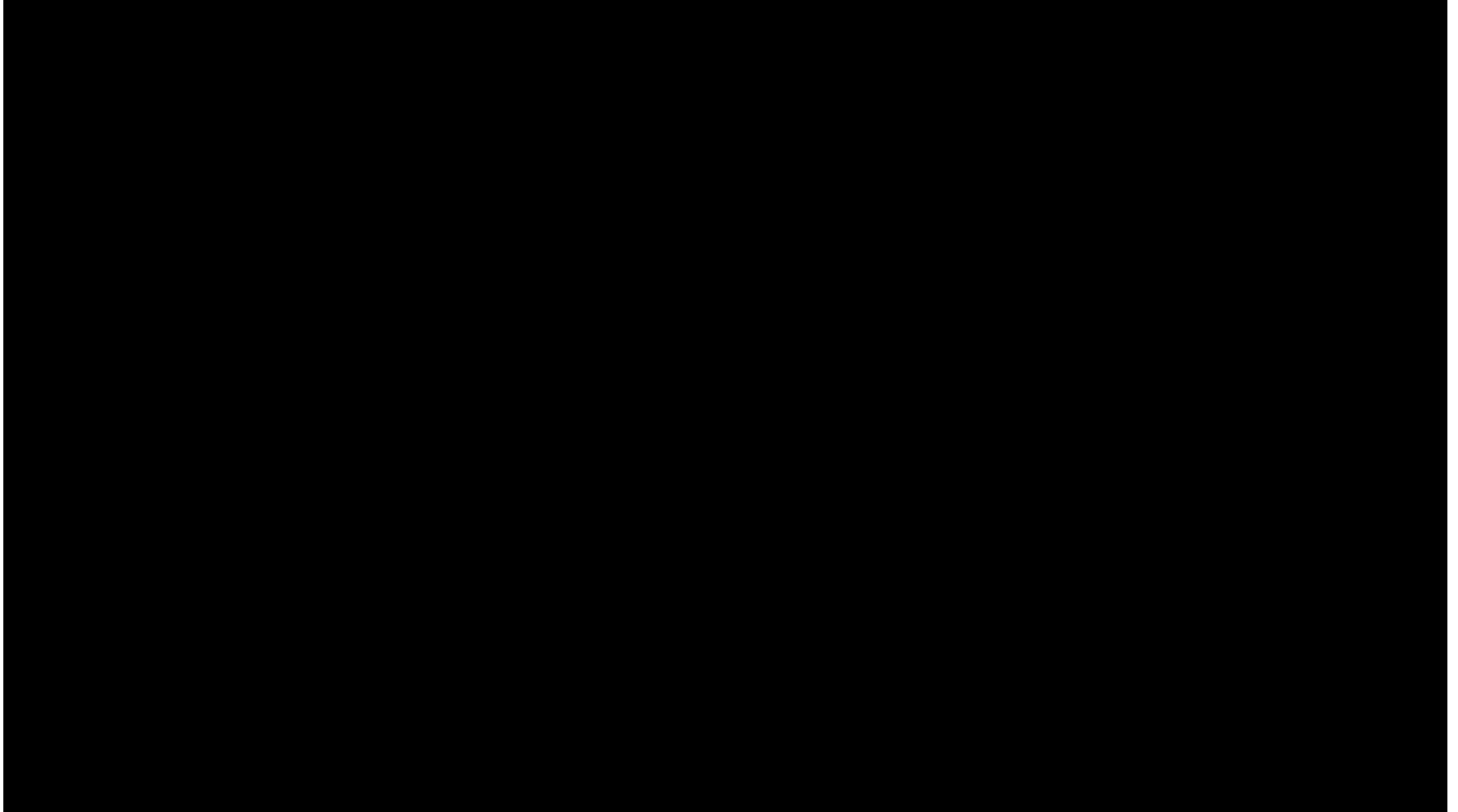
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How *Not* to Interview ...



Intelligence Sources

Wynyard

Adams

Facebook

Twitter

192.com

Companies
House

LinkedIn

Athlete Forums

Google



PRIVATE & CONFIDENTIAL

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Official Sensitive

Dear Mr

UKAD Investigation

Thank you for agreeing to meet with UKAD. Our meeting is scheduled to take place at 3pm on Wednesday June 10th, 2015 at the following address: Bird & Bird Solicitors, Fetter Lane, London. I will meet you in the reception area.

This meeting has been arranged as part of an investigation being undertaken by UKAD into the possible commission of an anti-doping rule violation (as that term is used in the World Anti-Doping Code) or anti-doping rule violations.

The meeting will be attended by me, together with my colleague from UKAD's Legal team Mr Tony Jackson. In relation to the meeting, I want to make the following points clear. I will remind you of

these points at the start of our meeting. Where appropriate, I will ask you after I mention each point whether you understand the point being referred to.

1. You are under no obligation to attend this meeting and are meeting UKAD because you have agreed to.
2. You can leave the meeting at any time.
3. The reason we are meeting is that UKAD is undertaking an investigation into the possible commission of an anti-doping rule violation (as that term is used in the World Anti-Doping Code). UKAD is authorised by the Anti-Doping Rules of UK Athletics to conduct this investigation. We refer to these rules as 'the ADR' in this letter.
4. UKAD believes that you are subject to the ADR. We will explain why at the meeting and you will have an opportunity to comment.
5. You can bring a friend, family member and/or legal (or other) advisor to the meeting.
6. The meeting will be audio recorded throughout. This will ensure that there is no misunderstanding as to what has been said in the meeting. We will prepare a written transcript of the tape recording and provide you with a copy.
7. I will ask you a number of questions during our meeting. If you do not understand any question, please say so. If you answer a question, I will take it that you have understood the question.
8. At any stage in our meeting you can ask questions regarding the ADR and the implications of any answers that you give as far as the ADR are concerned.
9. If you try to disrupt or damage UKAD's investigation by providing false, misleading or incomplete information, and/or by destroying potential evidence, this might constitute

'Tampering' (as that term is used in the World Anti-Doping Code). Tampering is an anti-doping rule violation under the ADR and can result in a ban of up to four years.

10. The information that you provide to UKAD as part of this investigation may form part of the evidence that is relied upon by UKAD if you are charged with the commission by you of an anti-doping rule violation. UKAD may share some or all of the information you provide with WADA, another Anti-Doping Organisation, a law enforcement body and/or the National Anti-Doping Panel or other disciplinary hearing body.

I look forward to meeting with you.

Yours sincerely,

Graeme Simpson

Investigator, UKAD

Rapport/Relationship Building

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- Engage with your interviewee, this can take place over the telephone before you even meet
- Do not talk about cheating, call it 'an error of judgement' or a 'mistake'; athletes don't like being called cheats and are likely to 'clam up' if called this
- Rapport building is the most important part of the whole interview process

Setting the Scene



Do prepare the room that you intend to use for interview
– ensure the lighting/heating are appropriate; provide water and allow breaks every hour



Do not put a table between yourself and the interviewee
– it creates a barrier

Role of the Legal Adviser



SOURCE: [https://commons.wikimedia.org/wiki/File:Artists-impressions-of-Lady-Justice,__\(statue_on_the_Old_Bailey,_London\).png](https://commons.wikimedia.org/wiki/File:Artists-impressions-of-Lady-Justice,__(statue_on_the_Old_Bailey,_London).png)

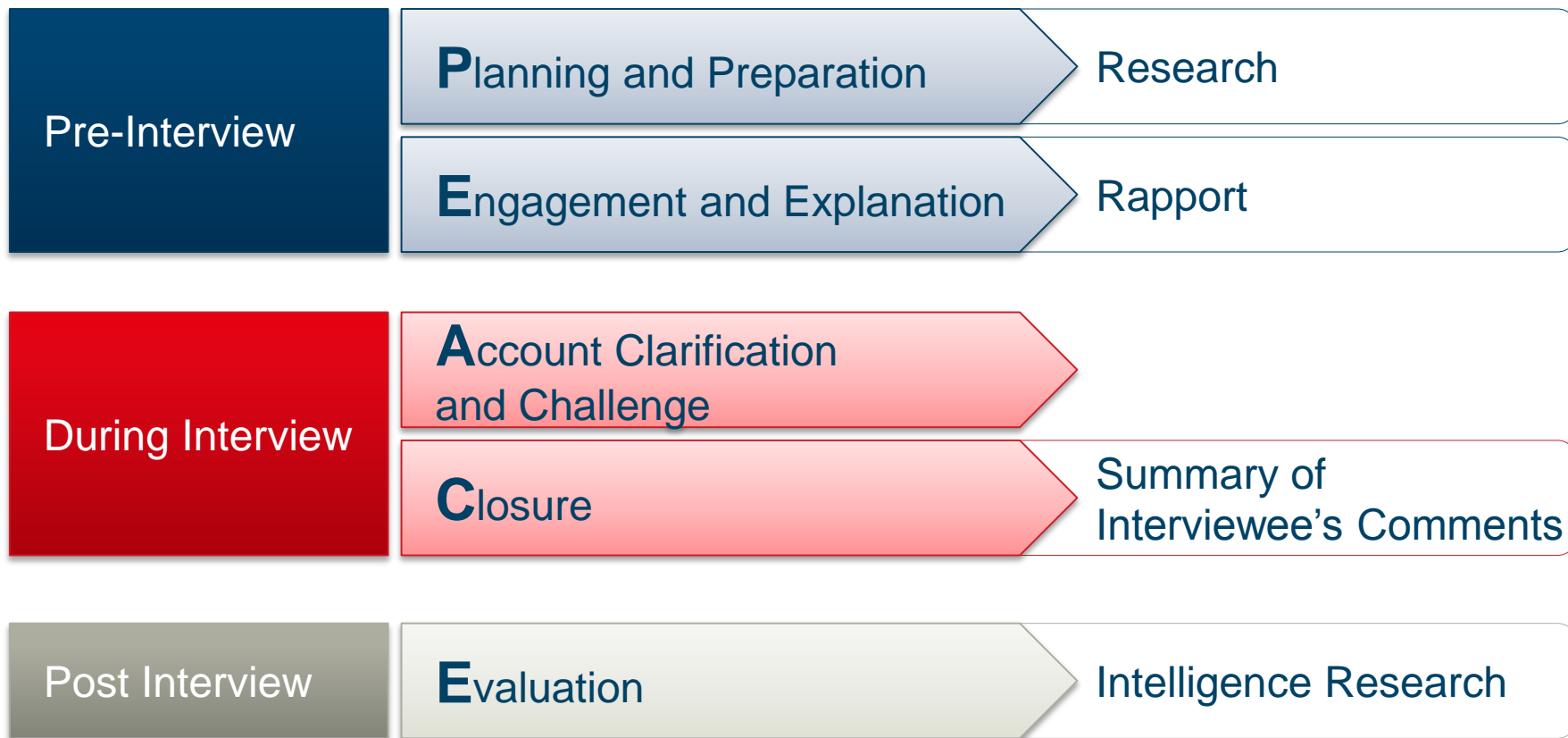
Pre-Interview Disclosure



They know it
We know it
Disclose it

They don't know it *or*
They don't know that we know it
Consider not disclosing
pre-interview

PEACE Interview Format



Dos and Don'ts

- ✓ Record the interview
 - ✓ Have spare batteries for the recording device
 - ✓ Produce a copy of their NGB registration
 - ✓ Mention the fact that you sent a pre-charge letter and that the athlete has read, understood and signed it
- ✗ lose control of the interview
 - ✗ shout or accuse the athlete of cheating
 - ✗ use the phrase 'made an error of judgement' or 'made the wrong decision'



Explaining the Interview Process



- All persons present to introduce themselves; lead interviewer to state the date, time and venue

Interviewer to explain that:

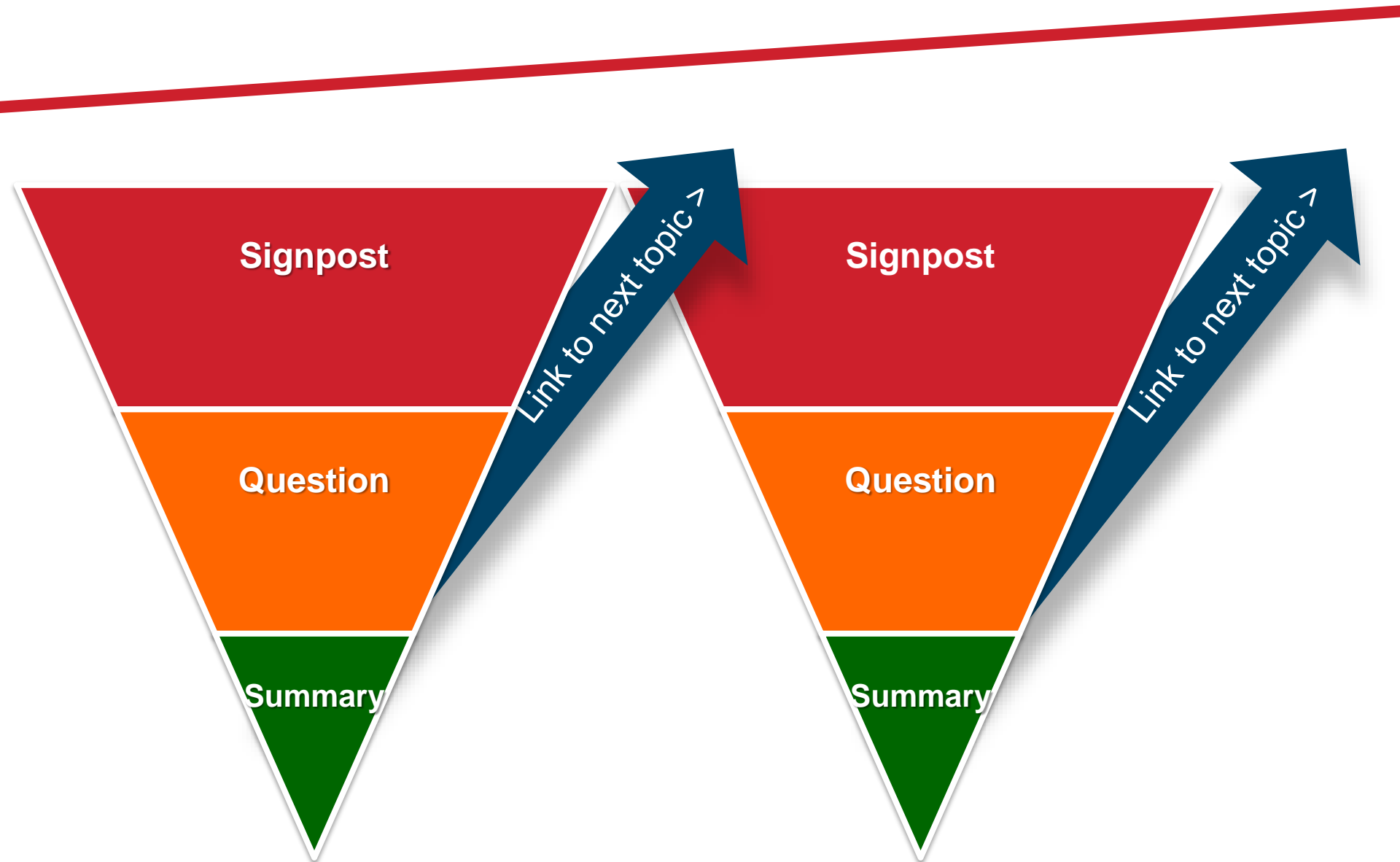
- the interview will be recorded and that the interviewee will be provided with a record of their interview
- the interviewee is entitled to have present at the interview a member of their NGB, a friend or a lawyer at their expense
- the interviewee does not have to answer any of the questions asked and that they are free to leave at any time

Check Interviewee's Understanding

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- Make interviewee aware that they do not have to answer any questions
- Explain what may happen if the matter is referred to a Sporting Tribunal
- Explain what happens to the interview recording

Interview Framework



Bad Character



- Evidence of a previous ADRV
- A criminal conviction for drugs

In Summary

Preparation

1. Research
2. Build rapport
3. UKAD legal letter to interviewee signature and return

During interview

1. Interviewer/interviewee introductions
2. Explain interview process
3. Remind interviewee that they don't have to answer any questions and may leave the interview whenever they wish
4. Interviewer role: to establish truth, not to establish guilt
5. Professionalism – UKAD representative
6. Stay in control
7. Role of colleague if present at interview
8. Always ensure clarity

Post Interview

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- Saving the interview record as an original exhibit
- Creating a transcription or summary (incurs financial/time costs)
- Extracting and sanitising interview intelligence, this would be forwarded to UKAD's I & I team, who would research all the intelligence from the interview and the whole intelligence cycle would start again
- Sharing the interview record with the interviewee/others (e.g. Legal team)

Any Questions?



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UKAad
protecting sport