28 July 2025

**DECISION**

**HARNESS RACING VICTORIA**

**and**

**MARK RISELEY**

**Date of Hearing:** 22 July 2025

**Date of Decision:** 22 July 2025

**Panel:** Judge Marilyn Harbison (Deputy Chairperson) and Mr Robert Abrahams

**Appearances:** Mr Andrew Cusumano appeared on behalf of the Stewards.

Mr Mark Riseley represented himself.

**Charge:** Australian Harness Racing Rule (“AHRR”) 190(1) states:

(1) A horse shall be presented for a race free of prohibited substances.

**Particulars of charge:** 1. At all relevant times, you were a licensed trainer and driver with HRV, and a person bound by the Australian Harness Racing Rules;

2. At all relevant times, you were the trainer of the horse “Keep Betting”;

3. On 29 November 2024, Keep Betting was presented for, and competed in, Race 3 at the Mildura harness racing meeting, the ‘Mallee Stockfeeds Maiden Pace’ (the Race);

4. Following the Race, a urine sample was collected from Keep Betting with subsequent analysis of that sample revealing the presence of tapentadol;

5. As the trainer of Keep Betting on 29 November 2024, you presented that horse for the Race not free of the prohibited substance tapentadol.

**Plea:** Guilty

**DECISION**

1. Mr Mark Riseley is a trainer licensed under the Australian Harness Racing Rules (“AHRR”). On 29 November 2024, he presented a horse, “Keep Betting” to compete in Race 3 at Mildura. A post-race urine sample detected the prohibited substance tapentadol present in the system of the horse.
2. Mr Riseley has thus been charged with one presentation offence and has pleaded guilty.
3. Mr Riseley initially had no idea where this substance originated, but it transpired that Mr Riseley’s uncle, Mr Trevor Callick, who had lived at the property for approximately six months before the race, had been taking medication containing tapentadol on prescription for pain management.
4. Mr Callick is not involved in harness racing at all, although he had been when he was younger. However, he did assist by changing the water in every horse’s yard twice a day since moving to the property. Mr Callick suffers greatly from severe burns to much of his body. He carries his medication with him wherever he goes and had sometimes taken a tablet while attending to the water bowls. He thought that perhaps a loose tablet in his bag may have fallen into the horse’s water, or a horse may have come into contact with this medication unintentionally when he patted the horses.
5. Tapentadol is a strong prescription painkiller. It is not suitable for use in horses and is not approved under the Rules. Its effect is the suppression of pain and inflammation.
6. There is no suggestion that Mr Riseley knew that his uncle was taking this medication, or that his horses were being unintentionally exposed to this medication. He did however know of his uncle’s medical condition and his need to take strong painkillers.
7. Every trainer has a very important responsibility to ensure that no horse comes into contact with prohibited drugs. This is an absolute responsibility and exists even when the trainer has no knowledge of any contamination. It is vital that this principle is upheld in sentencing today. A trainer must take active steps to ensure that anyone in contact with his horses is not unintentionally exposing the horse to a prohibited substance.
8. Mr Riseley has been a trainer and driver for only four years, although he was a licensed stablehand for a short time in 2002. He lives and keeps his horses on his grandfather’s property. His grandfather is now in his nineties but has had a long involvement with harness racing. Mr Riseley has taken over from his grandfather and has built up a stable of 13 horses. He describes himself as having entered a steep learning curve in taking over the business. He had not understood the dangers of cross contamination.
9. We take into account his relative inexperience in setting a penalty today. He has had a short career so far in harness racing but has no prior matters of consequence. We are persuaded that he has learned a valuable lesson and is unlikely to reoffend.
10. Mr Riseley has pleaded guilty at an early stage and is entitled to have that taken into account in his favour.
11. In all the circumstances, the penalty we impose is a fine of $2,000 with $1,500 being suspended for two years pending no further relevant offences during that time.
12. In addition, Keep Betting is disqualified from Race 3 at Mildura on 29 November 2024 and the finishing order is amended accordingly.

Kathleen Scully

Assistant Registrar, Victorian Racing Tribunal