17 September 2025

**DECISION**

**HARNESS RACING VICTORIA**

**and**

**RITA BURNETT**

**Date of hearing:** 11 September 2025

**Date of Decision:** 11 September 2025

**Panel:** Judge Marilyn Harbison (Deputy Chairperson), Mr Des Gleeson and Mr Robert Abrahams.

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

 Mr Blake Caruana appeared on behalf of Ms Rita Burnett.

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

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

**Particulars of charges: Charge 1**

1. At all relevant times, you were a licensed trainer and driver with HRV and a person bound by the AHRR;

 2. At all relevant times, you were the trainer of the horse ‘*Im The Mightygramps’*;

 3. On 25 February 2024, ‘*Im The Mightygramps*’ was presented for, and competed in, Race 1 at the Cranbourne harness racing meeting, the ‘Worlds Best Hoof Oil Pace’ (**the Race**);

 4. Following the Race, a urine sample was collected from *‘Im The Mightygramps’* with subsequent analysis of that sample revealing the presence of dexamethasone;

 5. As the trainer of ‘*Im The Mightygramps*’ on 25 February 2024, you presented that horse for the Race not free of the prohibited substance dexamethasone.

 **Charge 2**

 1. At all relevant times, you were a licensed trainer and driver with HRV and a person bound by the AHRR;

 2. At all relevant times, you were the trainer of the horse ‘*Im The Mightygramps’*;

 3. On 12 April 2024, ‘*Im the Mightygramps*’ was presented for, and competed in, Race 4 at the Melton harness racing meeting, the ‘Nevele R Stud Pace’ (**the Race**);

 4. Following the Race, a urine sample was collected from *‘Im The Mightygramps’* with subsequent analysis of that sample revealing the presence of dexamethasone;

 5. As the trainer of ‘*Im The Mightygramps*’ on 12 April 2024, you presented that horse for the Race not free of the prohibited substance dexamethasone.

**Pleas:** Guilty to both charges

**DECISION**

1. Ms Rita Burnett is a registered owner and trainer under the Australian Harness Racing Rules (“AHRR”).
2. Ms Burnett has been charged with two presentation offences. Each relate to her horse “Im The Mightygramps”.
3. Charge 1 alleges that she presented the horse at Cranbourne on 25 February 2024 not free of a prohibited substance namely, dexamethasone.
4. Charge 2 alleges that she presented the same horse at Melton on 12 April 2024 also not free of the same prohibited substance.
5. Ms Burnett has pleaded guilty to each charge.
6. It appears clear that the contamination occurred as a result of her administering dexamethasone to the horse for a medical condition. Her veterinarian, Dr Alison Miles, told Stewards that she had prescribed dexamethasone to be administered via nebulizer to address a longstanding condition of inflammation and airway disease in the horse. She also took regular bloods and recommended use of drugs to combat anaemia.
7. It is agreed that Dr Miles told Ms Burnett that the dexamethasone should be withheld four days prior to a race.
8. There is conflicting evidence as to whether this four day rule was complied with. Ms Burnett initially told the Stewards that she raced the horse on each occasion two to three days after administering the dexamethasone nebuliser. However, her treatment records list the administration as having occurred four days exactly before each race.
9. We are unable to come to a concluded view as to how these differences can be reconciled. However, whether the positive result occurred because of the existence of trace residue, or because of too short a period between administration and racing, it is clear that Ms Burnett is guilty of each presentation offence.
10. There is a heavy onus on trainers to ensure that each horse races free of any prohibited substance. We accept that the evidence does not suggest any attempt by Ms Burnett to use this substance to improve performance. We characterise it rather as a mistake in administration.
11. There is however, one concerning aspect to the evidence. Ms Burnett was contacted by the Stewards on 5 April 2024 and advised of the positive result from the race day swab taken on 25 February 2024. During this conversation, she was advised that the contaminating drug was dexamethasone. She then, on her own account, continued to administer dexamethasone to the horse without changing the routine at all, and so this substance was again detected in a race day swab on 12 April 2024. This is the subject matter of the second charge.
12. We are at a loss to understand why, when warned by the Stewards on 5 April 2024, that she did not immediately make enquiries as to the source of the contamination and cease the further administration of dexamethasone until she was satisfied that no further race day contamination would occur. Ms Burnett instead continued to administer the same substance, using the same method, within the same timeframe, taking no remedial measures at all.
13. This is particularly concerning, as she is not a newcomer to harness racing, but a very experienced owner and trainer, who we would expect to have known better. Furthermore, she has had a prior presentation offence. This occurred over 20 years ago, and we do not take it into account, except insofar as it demonstrates that she must have known the danger of contamination and the absolute obligation of a trainer to prevent it.
14. This matter has significantly influenced our approach to sentencing on Charge 2. It is a substantial aggravating feature.
15. We have received and taken into account glowing references from two harness racing participants and from Dr Alison Miles, attesting to Ms Burnett’s good character and experience in the industry. We accept that the substance was administered for therapeutic purposes. We accept that she has a long record in harness racing and, apart from two very old presentation offences, has no prior record of significance. Ms Burnett has been a trainer for over 40 years. She pleaded guilty to the charges at an early stage and has been cooperative with the Stewards.
16. We accept that any period of suspension would seriously impact on her, given that she runs a business of pre-training horses, and that many others who are also involved in various ways with her in this business would suffer greatly if the business could not continue.
17. Taking into account all the submissions made to us, the penalties we impose are as follows:
18. On Charge 1, a fine of $6,000, with $3,000 suspended for 12 months pending no further breach of the relevant Rule.
19. On Charge 2, a fine of $8,000.
20. These penalties are to be served cumulatively, making the total fine $11,000.
21. In addition, we order that Im The Mightygramps be disqualified from Race 1 at Cranbourne on 25 February 2024 and Race 4 at Melton on 12 April 2024 and that the finishing order in each race be amended accordingly.

**NOTE**

1. Having regard to the fact that Ms Burnett was on notice about the contamination relating to Charge 1 at the time she presented the horse at Melton, it is our view that her conduct in not changing the treatment regime for the horse and so leading to the offence outlined in Charge 2 is deserving of a period of suspension. We record that we have decided not to impose a suspension on Charge 2, and instead impose a significant fine, given that the Stewards in this case did not seek such a penalty. However, trainers should consider themselves on notice that the Tribunal will deal harshly with participants who either deliberately or recklessly ignore potential sources of contamination.

Mark Howard

Registrar, Victorian Racing Tribunal