

# Additional Stewards Report



Stewards: - J. Petzer (Chairman), P. Ryan & S. Callanan

Tuesday, 02 April 2024

## Jyi Lukey

Stewards concluded an inquiry into the circumstances relating to alleged conduct on the part of licensed Trainer Mr. Jyi Lukey on Monday, 11 March 2024 at the Strathalbyn Racecourse during trackwork. It was alleged that Jyi Lukey used his whip on a horse whilst mounted and again after being dismounted from the horse in a manner which resulted in the whip making contact with the horse in the vicinity of its neck and head.

Stewards heard evidence by phone from a member of the public and the Strathalbyn Track Supervisor Mr Sean Butler. Mr. Lukey attended in person and gave evidence. It is noted that Mr. Lukey was accompanied by a support person. Having regard for the serious nature of the allegations Stewards had regard for the *Briginshaw* standard in dealing with the matter, which required the allegation/s to be made out to their "reasonable satisfaction".

After considering the evidence Stewards charged Mr. Lukey under the provisions of **AR228(b)**, a rule which deals with misconduct, improper conduct and unseemly behaviour.

### The particulars of the charge being:

That Mr. Jyi Lukey, a licensed Trainer, engaged in misconduct on Monday 11 March 2024 at the Strathalbyn Racecourse during trackwork at approximately 8.50am; the conduct being that he used his whip on a number of occasions, whilst dismounted, on an unnamed thoroughbred racehorse, making contact with the horse in the vicinity of its neck.

**Plea:** - Mr. Lukey pleaded guilty to the charge.

**Finding:** - On a balance of the evidence Stewards found Mr. Lukey guilty of the charge and noted;

- on balance, Mr. Lukey had been dislodged from the horse during track work immediately prior to the incident, at or near the 1200 metre mark on the sand track.
- after being dislodged, Mr. Lukey, while holding the reins of the horse with his one hand, used his whip in the other and made contact with the horse on a number of occasions in the vicinity of its neck.
- having regard for the relative positions of the witnesses to the incident, and the variances in their evidence, it could not be determined to the reasonable satisfaction of the Stewards that the whip made contact with the horse's head.
- on the evidence of Mr. Lukey, he was startled after being dislodged from the horse, and reacted, without intent, and used his whip on the horse on a number of occasions.
- that there was no evidence to suggest that the horse's welfare had been compromised.

**Penalty** - In determining penalty Stewards had regard for Mr. Lukey's clean record, his forthrightness at the inquiry, his contrition for his conduct, his personal circumstances and his guilty plea. Stewards also considered the serious nature of the charge and aspects relating to individual and general deterrence. In all the circumstances Stewards imposed the following penalty; - A fine of \$1,000, reduced from \$1,500 after taking into account mitigating factors.

Mr. Lukey was informed of his right of appeal.

**J Petzer**  
General Manager Integrity