

APPEAL PANEL OF RACING NEW SOUTH WALES

IN THE MATTER OF THE APPEAL OF LICENSED JOCKEY KODY NESTOR

Heard at Racing NSW Offices

Appeal Panel: Mr T O'Callaghan – Convenor

Mr P Losh

Mr C Tuck

Representatives: Racing NSW – Mr T Moxon

Appellant – Mr K Nestor

Date of Hearing: Tuesday, 24 February 2026

REASONS FOR DECISION

This Hearing of the Appeal Panel involved an appeal by Kody Nestor against conviction and penalty relating to a charge brought by the Stewards for breach of AR 131(a), Careless Riding, occurring during the running of Race 7 at Dubbo on 15 February 2026. Mr. Nestor had ridden the horse, *Stockholm*. The other horse involved in the incident the subject of the charge, *Charlie Magic*, had been ridden by Ms. Izzy Neale.

For the purposes of their applying the *Careless Riding Template -- AR 131(a)*, the Stewards had classified the incident as MEDIUM CARELESSNESS as, in the Stewards' opinion, Ms. Neale's mount had LOST its RIGHTFUL RUNNING; the resultant penalty was a suspension, in Mr. Nestor's particular circumstances, of seven meetings.

The Panel reviewed the video recording of the incident, considered the evidenced contained in the transcript of the Stewards Inquiry into the incident, and considered the oral submissions of the parties.

Having considered all those matters, in light of Ms. Neale's evidence [Transcript, lines 99-100] that she had been looking to hold her horse back and sit midfield, the Panel decided that the necessary element of LOST RIGHTFUL RUNNING had not been established by the Stewards to the requisite standard.

Accordingly, the Panel made the following orders:

1. Appeal against conviction allowed; therefore
 2. Penalty rescinded.
 3. Deposit to be refunded
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