11 September 2025

**DECISION**

**RACING VICTORIA**

**and**

**JAYLAH KENNEDY**

**Date of hearing:** 5 September 2025

**Date of decision:** 5 September 2025

**Panel:** Judge Marilyn Harbison (Deputy Chairperson), Ms Heidi Keighran and Dr Andrew Gould.

**Appearances:** Mr James Hitchcock appeared on behalf of the Stewards.

Mr Matthew Hyland represented Ms Jaylah Kennedy.

**Charge:** Australian Rule of Racing (“AR”) 131(a) states:

 A rider must not, in the opinion of the Stewards:

(a) engage in careless, reckless, improper, incompetent or foul riding.

**Particulars of charge:** Apprentice Jaylah Kennedy (Think 'N' Fly) pleaded guilty to a charge of careless riding under the provisions of AR 131(a), in that near the 1500m, she permitted her mount to shift in when not sufficiently clear of Ruakaka Raider (NZ), that was checked and lost its rightful running. Jaylah Kennedy had her permit to ride in races suspended for 10 race meetings. In assessing penalty, account was taken of her guilty plea, good record and that the incident was in the mid-range.

Apprentice Jaylah Kennedy (Think 'N' Fly) was found guilty of a charge of careless riding under the provisions of AR 131(a), in that passing the 1500m she failed to make sufficient effort to prevent her mount from shifting in when not clear of Chase Your Dreams (NZ), that was tightened for room and severely checked. Further, as a consequence, Ruakaka Raider (NZ) and Kokoro, which were trailing, were severely checked. Jaylah Kennedy had her permit to ride in races suspended for a period of 14 race meetings. In assessing penalty, account was taken of her good record, the circumstances surrounding the interference and that the incident was in the high range.

Stewards determined that the penalty of 10 meetings in relation to the charge near the 1500m and 14 meetings in relation to the charge passing the 1500m be served concurrently. As such, J. Kennedy's permit to ride in races was suspended for 14 race meetings, with the period to commence on Sunday 7 September 2025 and expire on Saturday 20 September 2025. Accordingly, Jaylah Kennedy will be able to return to ride on Sunday 21 September 2025.

**Plea:** Not Guilty

**DECISION**

1. Ms Jaylah Kennedy is appealing a decision in relation to the finding of the Stewards that she breached Australian Rule of Racing (“AR”) 131(a).
2. Ms Kennedy was charged by the Stewards with careless riding arising out her ride on 30 August 2025, when she competed in Race 1 at Caulfield on a horse named “Think 'N' Fly”.
3. At a point near the 1,500 metre mark, her horse shifted in when it was not clear to do so, severely checking a horse named “Ruakaka Raider”, ridden by Mr Craig Williams. She was charged on the basis that she took insufficient action to avoid the interference with Mr Williams’ mount.
4. Ms Kennedy pleaded guilty to this charge.
5. The penalty imposed was suspension for 10 race meetings.
6. The Stewards also convicted her of careless riding arising out of another incident in the same race which occurred immediately afterwards.
7. This incident involved another horse named “Chase Your Dreams” ridden by Mr Luke Cartwright.
8. The Stewards charged Ms Kennedy with careless riding in that whilst passing the 1,500 metre mark, she failed to make sufficient effort to prevent her mount from shifting in when not clear of Chase Your Dreams. It was alleged that her failure to do so meant that Chase Your Dreams was tightened for room and severely checked, resulting in the horse becoming unbalanced. Further, it was said that Ruakaka Raider and another horse, “Kokoro”, were severely checked.
9. Ms Kennedy pleaded not guilty to that charge. The charge was found proven by the Stewards and the penalty imposed was suspension for 14 race meetings.
10. She has appealed to this Tribunal against the Stewards determination in relation to the second incident.
11. She submitted to us that she was trying her best to remain in position and did not deliberately go towards the fence. She felt as if her horse stepped in due to the pressure from the outside from “Litzdel”, ridden by Mr Zac Spain. Ms Kennedy said that her horse followed Litzel’s movement inwards and she did her best to correct her mount but was unsuccessful. She conceded that the interference which occurred was very serious but said that she did all she could to prevent it.
12. The Stewards submitted that there was no pressure from Litzdel, which was merely shifting in and filling in an available void. The Stewards relied on the race footage, which they said showed a gradual and consistent shift inwards from Ms Kennedy’s mount. They conceded that she tried to direct her mount to the outside but said that she did not make a sufficient effort to do so, resulting in the interference.
13. We have watched the race footage and considered all the submissions made.
14. At the time immediately after the first interference, Ms Kennedy had clearly put herself in a very tight position as the middle horse in a line of three. We accept her evidence that at that point, while passing the 1,500 metre mark, she was trying her best to remain in position and to steer her mount out from the fence.
15. We think it most likely that the horse was then subjected to momentary pressure caused by another horse ridden by Mr Spain, which appears to us to have made a marginal but visible shift towards it. We agree that this shift was enough, given the tight position she was in as a result of the earlier infraction to unbalance her horse and the horse being ridden by Mr Williams, leading to the very nasty interference also involving Kokoro.
16. Her horse’s reaction occurred whilst she was trying to pull her horse away from Mr Cartwright.
17. Given how fast this happened, we do not accept that there was anything more she could have done to avoid the interference. We agree with the submission that the horses involved simply ran out of room. It is not appropriate in our view to characterise this sequence of events as an act of careless riding.
18. In all the circumstances, the charge is dismissed.

Mark Howard

Registrar, Victorian Racing Tribunal