



STEWARDS INQUIRY INTO THE CONDUCT OF LICENSED APPRENTICE JOCKEY MS HOLLY DURMAN

**Racing NSW Offices  
Druitt Street, Sydney  
Via videoconference**

**3 October 2024**

**Stewards: D R Hadley (Chair)  
M W Cleaver  
L J Martin**

---

## **Background**

On 28 September 2024, Racing NSW Stewards and Investigators commenced an investigation in respect of the alleged conduct of licensed apprentice jockey Ms Holly Durnan towards a fellow apprentice jockey. The allegations related to the circulation of a photograph taken in the female's jockey room on 16 September 2024 at the Corowa race meeting. Investigators interviewed industry participants and obtained electronic evidence.

On 30 September 2024, Racing NSW Investigators seized the mobile telephone of apprentice jockey Ms Holly Durnan for examination. On examination, evidence was obtained of further occasions Ms Durnan used her mobile telephone while in the female's jockey room at various locations during race meetings.

On 3 October 2024, Stewards opened an inquiry into these matters. A brief of evidence compiled by Racing NSW Investigators was tendered with oral evidence being taken from apprentice jockey Ms Holly Durnan who was assisted by her master licensed trainer Gary Colvin as well as other current industry participants.

Stewards considered the evidence and subsequently issued three (3) charges against Ms Durnan as detailed below;

## **Charges issued against Ms Holly Durnan**

### **Charge 1: AR233(b) Workplace Harassment**

The details of the charge being that on 16 September 2024, she did engage in workplace harassment of a person acting in the course of her duties while employed in the racing industry at Corowa Racecourse, by taking an offensive photograph of a fellow apprentice jockey on her mobile telephone while in the female jockey room and distributing it to another industry participant.

**Plea: Not Guilty**

**Finding: Guilty**

### **Charge 2: AR218(4)(b) Restriction on the use of communication devices**

The details of the charge being that between 20 August 2024 and 16 September 2024, she did, without the permission of the Stewards, have possession of her mobile telephone on three (3) occasions while in the female jockey's room at various locations during race meetings.

**Plea: Guilty**

**Finding: Guilty**

### **Charge 3: AR218(4)(c) Restriction on the use of communication devices**

The details of the charge being that between 20 August 2024 and 16 September 2024, she did, without the permission of the Stewards, use her mobile telephone on five (5) occasions while in the female jockey's room at various locations during race meetings.

**Plea: Guilty**

**Finding: Guilty**

### **Penalty**

The following penalty considerations were taken into account.

- Guilty pleas to two (2) of the charges issued
- Objective seriousness of the conduct
- Precedent penalties
- Ms Durnan's personal and professional circumstances
- Principles of specific and general deterrence and what message is sent to the industry in respect to such conduct
- The purpose of issuing penalties as a protective measure for the image, interests and welfare of the thoroughbred racing industry

**Charge 1: AR233(b) – 3 months suspension of licence**

**Charge 2: AR218(4)(b) – \$1500 fine reduced to \$1000**

**Charge 3: AR218(4)(c) – 3 weeks suspension reduced to 2 weeks (to be served wholly concurrent with Charge 1)**

Stewards ruled the total period of suspension be 3 months, to commence on 7 October 2024 and to expire on 7 January 2025.

Furthermore, Ms Durnan was advised that should she provide evidence of having completed an accredited workplace harassment course; the penalty would be further varied to allow her to resume duties on 7 December 2024.

Under the powers of AR283(5), Stewards ordered that \$500 of the penalty relating to Charge 2 be stayed should Ms Durnan not breach the same rule for a period of 18 months. The fine imposed was \$500.

Ms Durnan was advised of her rights of appeal.

#### **Relevant Rules:**

##### **AR 233 Other misconduct offences**

*A person must not:*

*(b) engage in workplace harassment or bullying of a person while the person is acting in the course of his or her duties while employed, engaged in, or participating in the racing industry.*

##### **AR 2 Dictionary**

**Workplace harassment** means behaviour of one person towards another person with whom the person has a workplace connection which:

*(a) is unwelcome to and unsolicited by the person who is the subject of the behaviour;*

*(b) the person subject to the behaviour considers to be offensive, intimidating, humiliating or threatening; and*

*(c) a reasonable person would consider to be offensive, humiliating, intimidating or threatening.*

##### **AR218(4)(c) Restriction on the use of communication devices**

*(4) Without the permission of the Stewards, a person (including but not limited to a jockey) must not:*

*(c) use in the jockey's room;*

Any mobile telephone, tablet, radio transmitter or any other appliance, apparatus, instrument or equipment capable of receiving or transmitting information.

**D R Hadley**  
**General Manager – Investigations**  
**Racing NSW**