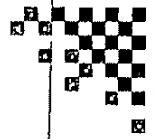




QUEENSLAND POLICE SERVICE

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Our Ref: *DOC 12/444362*
Your Ref:

23 August 2012

Mr T Moynihan SC
Director of Public Prosecutions
GPO Box 2403
BRISBANE QLD 4001

RECEIVED
23 AUG 2012
ODPP

Dear Mr Moynihan

The Queensland Police Service review of Leanne Holland's murder has been concluded. Significant new evidence has been obtained. The review has been an exhaustive and a thorough examination of all issues relevant to Leanne Holland's disappearance and murder has been conducted. The review has incorporated a forensic examination of exhibits resulting in strong probative evidence being identified, [redacted]

Prior to the review, a number of appeals were made by Graham Stafford seeking a pardon for the murder conviction recorded against him after a trial in March 1992. Two petitions for a pardon resulted in the Queensland Court of Appeal assessing the evidence presented against Graham Stafford during his trial.

The first petition, heard in 1997, resulted in a majority decision to dismiss the appeal. The dissenting judge, Justice Fitzgerald, commented he would have allowed the appeal and ordered a retrial where, *"on all the evidence now available a jury, properly instructed, might and probably would, reasonably convict the appellant"*, Graham Stafford. Justice Fitzgerald considered there had been a procedural unfairness during Graham Stafford's trial relating to the inference about the amount of blood present in the Holland house and Graham Stafford's vehicle.

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The second petition heard in 2009 resulted in Graham Stafford's conviction being quashed and a retrial being ordered, again in a majority decision. Justice Keane and Justice Fraser repeated the comments made by Justice Fitzgerald when announcing their judgements.

The evidence relied upon in all appeals resulted from the 1991 police investigation. Your announcement made on 26 March 2010 advising it was not in the public interest to again prosecute Mr Stafford was presumably, in part, based upon the evidence that had been adduced at Stafford's 1992 trial.

The review into this matter has resulted in over 300 persons being interviewed. It has been determined the last credible sighting of Leanne Holland occurred at about 10.15am on 23 September 1991. Ms Holland was seen walking in the direction of her home address in clothing identical to what was found on her body when she was located deceased. The location of this sighting was approximately 100 metres away from her home, in a location next door to where her paternal grandmother resided. [REDACTED]

[REDACTED] The forensic review found:

- Leanne Holland had applied peroxide bleach to her hair but had not been able to fully spread the bleach through her hair before the process inexplicably ceased. This has been confirmed by microscopic and chemical examination of Leanne Holland's hair. It was Leanne Holland's stated desire to bleach her hair on 23 September 1991 with the assistance of Graham Stafford;
- A new shower curtain was hanging in the bathroom of Leanne Holland's house. The curtain, which had been hanging for about two weeks, was examined in 1991 and found to have multiple spots of human blood; however, technology then could not identify the blood group due to the small size of the spots. New DNA tests conducted has confirmed some of the blood projected onto the curtain belongs to Leanne Holland;
- A pattern was evident on Leanne Holland's left buttock and thigh. This had not been identified in 1991 but was evident in photographs taken at the time. This pattern was found to be identical to the boot mat of a Holden Gemini make of vehicle. The Gemini boot mat was unique to that make and model of vehicle. Graham Stafford had a Holden Gemini vehicle. Leanne Holland's blood has also been confirmed by DNA analysis in 2007 as being present in three locations within the boot of that vehicle;

- A written record by a work experience student confirmed the presence of the maggot in the boot of Graham Stafford's vehicle. The record in the student's work experience diary was recalled by extended members of that student's estranged family; and
- Full meteorological records were obtained as opposed to only maximum and minimum temperatures used in 1991. A detailed examination of those records along with entomological research has determined the approximate time of death was 23 September 1991.

At the conclusion of the review, the Queensland Police Service's position is that it is in the public interest again to further prosecute Graham Stafford for Leanne Holland's murder.

The primary issues in my view relate to justice for Leanne Holland and her family, establishing the guilt or innocence of Graham Stafford and public confidence in the criminal justice system.

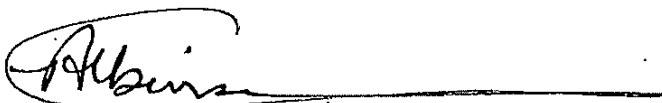
It is acknowledged Graham Stafford served a term of imprisonment that is not likely to be extended if he were again convicted.

Our understanding however is that a person convicted of murder is on parole for life, has restrictions placed upon them to protect the community and, in cases where the victims are children, are placed on the Child Protection Offender Register if the conviction takes place after 2005.

Having regard to the comments of Justices Fitzgerald, Keane and Fraser in their judgements, they considered the 1991 evidence alone was sufficient for a properly instructed jury again to convict Graham Stafford. The evidence now in our view is significantly stronger than that considered by the three learned Justices when passing their judgements.

I request that you authorise the re-prosecution of Graham Stafford for the murder of Leanne Holland at Goodna on 23 September 1991.

Yours sincerely



R ATKINSON
COMMISSIONER