

Science finds answer to murder victim's identity

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When the body of an Australian tourist was found on an isolated beach in the Philippines, an investigation began that involved co-operation between Philippine authorities and federal and state agencies in Australia.

As the case developed, the AFP emerged as the appropriate investigating agency. To identify the tourist, the latest forensic techniques were enlisted; techniques which gave surprising results.

On June 13, 1990, the mutilated body of a man was found lying on an isolated beach on an island at Lokso-On in the Philippines, about 600km south of Manila. The body was examined at the scene by a local doctor and appeared to be that of a caucasian male. There was evidence to suggest the man had died as a result of a severe wound to the back of the head. After the examination, the body was buried on the beach nearby and the grave marked with a simple cross.

No personal papers were found on the body. Local inquiries suggested the body was that of an Australian named John Thomas who was thought to have been a former police officer. He was last seen alive three days earlier on the morning of June 10 with another caucasian man and a Filipino woman when they had travelled together in a motorised tricycle. The other two people had returned later that day and said that John Thomas had stayed on to do some fishing. The couple left the area that afternoon.

In early July 1990, members of the Integrated National Police contacted the Consular Section of the Australian Embassy, Manila, in an attempt to positively identify the body. The Australian Federal Police liaison officers in Manila at the time, Detective Superintendent John Robinson and Detective Sergeant Ian Atkinson contacted the AFP's International Division, Canberra, which made extensive inquiries to

establish the identity within Australia and New Zealand, without success.

Crime scene revisited

A consular staff member of the Australian Embassy in Manila and Detective Sergeant Atkinson, travelled to the area and viewed the grave of the deceased. Their inquiries revealed that the possible cause of death was a blow to the skull by a machete-type weapon. They were told that both ears of the deceased had been removed and the left forearm and hand were missing. There had been one crime scene photograph taken at the time of discovery showing the body laying face up. At that stage no firm information was obtained to confirm the body's identity.

Later information passed to the AFP liaison officers in Manila was that some property had been found with the remains including a yellow T-shirt, which had allegedly been worn by the deceased at the time of his death, with the words "Western Reward-Exmouth" on the front. Photographs were obtained of the T-shirt, together with photographs of a watch, a canvas shoe, dark sunglasses, a blue disposable lighter and a yellow metal ring with a red stone, all of which were allegedly in the possession of the man at the time of his death.

Further information suggested that the man was last seen alive close to where his body was later found. He had been seen riding in

a motorised tricycle with a caucasian man, Terry Stanton, and a Filipino woman, Sarah Cabijan, who was born in the local area. All three had been staying with her relatives.

According to reports, Mr Stanton and Ms Cabijan had returned later that day on the tricycle without the other man. The two went to their accommodation, immediately packed their belongings and left the area by the next available ferry. They allegedly told relatives that John Thomas would meet them at the ferry. Reports by a relative of Ms Cabijan said that when the motorised tricycle was returned that afternoon there appeared to be traces of fresh blood on the interior and roof.

Further inquiries at the Australian Embassy in Manila revealed that Sarah Cabijan may have been previously married to an Australian named Russell Clarke. He had died when it was alleged that he had thrown himself from the top floor of the Peninsular Hotel in Makati, Metro Manila in 1988. It was thought that Ms Cabijan may have lived with Mr Clarke in Western Australia after 1986.

This new information was passed to the AFP's International Division in Canberra and was co-ordinated by Detective Sergeant Roger Cullinan and then passed to the AFP's Western Region as there was a possibility that the deceased may have been employed in Exmouth. Following these inquiries it was decided to refer the request for investigation and identification to the WA Police Major Crime Squad. This was partly on the basis that it was a possible murder investigation where the conspiracy may have occurred in their jurisdiction.

Western Australia Police establish likely identity

Subsequent investigations by Detective Sergeant Yates of the WA

Police in Exmouth in September 1990 revealed that the deceased, John Thomas, was possibly John Thomas Hulmes, born March 11, 1935 in the UK, who had been a former member of the Australian Federal Police, then the Australian Protective Service, at Exmouth in Western Australia, during the 1980s. He had resigned from the Australian Protective Service on January 16, 1989. Immigration checks revealed that he had left Australia on flight PR 210 to the Philippines on February 21, 1990. There was no record of him having returned to Australia.

Inquiries also revealed that Mr Hulmes and a Terence Andre Stanton, born May 23, 1941 in the UK, were good friends and knew each other in Exmouth. In fact, Mr Stanton and Mr Hulmes had taken the same flight to the Philippines.

It was also revealed that Mr Stanton's de facto wife, Mrs Sarah Clarke (nee Cabijan), born September 21, 1964 in the Philippines, had left for the Philippines a week earlier on flight PR 212. She had come to Australia as the widow of Russell Clarke on July 15, 1989.

Stanton was a naturalised Australian as was Sarah Cabijan. Stanton, Clarke and Hulmes had all been friends in Exmouth during the 1980s.

John Thomas Hulmes had served with the former Commonwealth Police, the Australian Federal Police and then the Australian Protective Service in Salisbury, Woomera and Exmouth. He had also served in the British Army from 1952 to 1964 and had been a member of the Cheshire Constabulary in the UK between 1964 and 1971.

The son of the deceased, Sergeant Ian Hulmes, a serving member of the SA Police, provided valuable information and assistance to the WA Police. It was confirmed that his father had left Australia as previously established on February 21, 1990 for Manila with Stanton. He provided photographs of his father which showed that he had a tattoo on his left forearm.

The WA Police also established that John Thomas Hulmes had left Australia with approximately \$23,000 in Australian currency.



Cranial facial superimposition involves the comparison of the skull and teeth of the deceased with photographs taken before death.

Apart from this, he had purchased a draft note from the National Bank of the Philippines for \$14,000 about one week before his departure. According to his son, the money was to be used for a joint investment project in a clothing business with Mr Stanton.

WA Police then decided that the investigation was one which did not justify their involvement, as the murder had been committed in a foreign country and as such it was an AFP responsibility in accordance with any international treaty which may have been in existence at that time. Accordingly the matter was returned to the AFP.

Inquiries by AFP Western Region revealed that Mr Stanton and Ms Cabijan had returned to Perth, on June 28, 1990 on Qantas Flight QF8 from Singapore.

The question of positive identification of the body still remained. This task fell to Detective Superintendent Ian Bain and Detective Sergeant Roger Cullinan of the AFP's International Division.

They were aware of a new development of identification of deceased persons which had been accepted by the judicial system in Australia and Japan and which involved cranial facial superimposition. This process used comparisons of the skull and teeth of the deceased with photographs taken before death.

The AFP's International Division obtained Mr Hulmes' British Army medical and dental records which showed that he had a broken left fibula in 1964 and a broken right wrist in 1973.

The Department of Immigration supplied his most recent passport photographs. His son, Sergeant Hulmes, said that his father had dentures where a tooth had been missing for a number of years. He also said that his father was a heavy smoker with subsequent denture stains.

Following a further request from the Consular Section at the Embassy in Manila, Superintendent Robinson in late 1990, sought the assistance of the Director of the National Bureau of Investigation (NBI), Major General Fred Lim, to confirm the body's identity and investigate the murder. He agreed to take over the investigation of the murder from the integrated National Police.

The decision was taken to exhume the remains of the deceased for eventual transportation to Manila and Australia. (The NBI was created and developed along similar lines to the Federal Bureau of Investigation.)

Sensitive negotiations followed with the Philippines authorities arranging the exhumation of the body. Because of the remoteness of the location and the fact that it

was near areas where the New People's Army was active, the Philippine authorities perceived some difficulties. Never-the-less, the body was exhumed in early 1991 and the remains sent to Manila.

Remains brought to Australia

The Philippine authorities approved the export of the remains. Subsequently, the Australian Customs Service (ACS) and Quarantine Service approved their importation to Australia. The remains were accompanied to Australia in late January 1991 by Roger Lawson of the ACS, Melbourne, who was in Manila on duty at the time.

On February 5, 1991 the skeletal remains were examined by Dr Geoffrey Oettle of the Division of Forensic Medicine, NSW Health Department. An initial X-ray examination revealed, surprisingly, a 9mm bullet lodged at the base of the skull which was almost certainly the main cause of death. This bullet was examined by Detective Superintendent Herb Prior of the AFP's Firearms and Ballistics Branch in Canberra. He sought the assistance of experts from the Los Angeles Police Department ballistics branch. Based on the information provided, it was their opinion that the spent bullet was most likely of a World War II origin, possibly left there by the US Military and was possibly fired from a Filipino .38 inch special revolver.

The examination of the remains was continued in Sydney by Dr Christopher Griffiths using the superimposition method with comparisons of the photographs and skull and the other medical information. The identity of the deceased was confirmed beyond reasonable doubt as that of John Thomas Hulmes.

Dr Griffiths then issued a statement declaring the body to be that of Mr Hulmes. The facial features were consistent with the photographs, the missing tooth was consistent with the worn denture plate and the nicotine stains were consistent with him having been a heavy smoker and the fibula break on the leg was consistent with the British Army records. All items were consistent to prove identification; there were



When the remains of Mr Hulmes were examined in Australia, a 9mm bullet was found lodged at the base of the skull.

no inconsistencies. The remains were then given to the relatives for burial in Australia.

Investigations in the Philippines and Australia culminated in the issue of warrants on February 19, 1991 by Judge Paterson Alvarez of the Regional Trial Court, Guivan, Samar, for the arrest of Terence Andre Stanton and Sarah Cabijan, for the offence of murder of Mr Hulmes.

Simultaneous with the issue of these warrants, Australia and the Philippines ratified an extradition treaty and the extradition process commenced in Manila in relation to the suspects. This was the first instance in which the Philippine authorities had requested extradition of Australian citizens to face trial in the Philippines.

AFP Western Region maintained periodic surveillance on Mr Stanton and Ms Cabijan. Following their departure from Perth, it was confirmed that they had travelled to Mooloolaba in Queensland. Members of AFP Northern Region commenced limited surveillance. After a short stay at Mooloolaba in July 1991, they both travelled to Cairns, North Queensland where their activities were monitored by the AFP.

Suspects arrested in Cairns

On April 14, 1992 both suspects were arrested in Cairns, by the AFP on provisional warrants for the murder of Mr Hulmes in the Philippines. Following evidence presented in the magistrates Court,

Cairns, Magistrate Robert Fitzsimon, ordered both defendants to surrender for extradition to the Philippines and they were then held in custody in Cairns and later in Townsville.

In a jail wedding which received wide media coverage, Mr Stanton and Mrs Clarke were married on August 24, 1992.

Since their arrest both maintained their innocence of the murder and both appealed against the magistrate's decision on the extradition. On October 13, 1992 the appeal was heard by Judge Spender in the Federal Court of Australia sitting in Townsville. Subsequently both appeals were dismissed and the matter referred to the Federal Attorney General.

On April 16, 1993, the then acting Attorney General, Duncan Kerr, exercised his discretionary power and rejected the applications under the Extradition Act and ordered that the couple be released. He said he had considered the circumstances and had advised the Philippines Government accordingly.

Conclusion

Detective Superintendent John Robinson, now retired, who was the liaison officer in Manila at the time and kept a close interest in the matter, said he had been very pleased with the co-operation shown between so many different authorities during the protracted investigation, particularly in establishing Mr Hulmes' identity.