

TRAVIS BURNS

SERIAL KILLER



It's the story the authorities tried to ban. The story *Investigate* was forced to cut from its April 2000 issue after a last minute High Court injunction. Now, after another lengthy Court battle, we can finally bring you the truth about convicted killer Travis Burns: not only has the man who bludgeoned Joanne McCarthy to death with a hammer in front of her children attacked women before - he's also confessed to murdering Howick mother Tania Furlan, as IAN WISHART reveals

“The bloody phone's tapped! Meet me in the park on Bittern Place, 1:30.” The line goes dead. His name we can't tell you, but he is associated with some of New Zealand's most notorious criminals and he has information that he's refusing to give the police.

“They've been on to me about the Tania Furlan case,” he'd announced a week or so earlier in another surreptitious phone call. “I know what went down, and I know where the evidence is, but I have a real problem cos I don't wanna be the one tellin' the coppers.”

Given that he's taking about one of New Zealand's most controversial murder cases, and arguably one of the biggest police botch-ups in our history, it is little wonder that the constabulary are desperate to find out what our source, whom we'll call “Tamaki”, knows.

So when we turn up at the park at the appointed time, it comes as no surprise when, at 1.32pm, an unmarked police car bearing detectives turns up – slowly circles the carpark – and then disappears, only to reappear hiding behind bushes further up the road. It remains there for the duration of our hour long interview.

And what he has to say is riveting: allegations that a prize police informant – a criminal who has supplied them with key information on the Headhunters and Highway 61 gangs – was in fact a lethal serial killer in the classic, psychopathic, sense of the phrase - an undiscovered murderer who boasted of being “untouchable” because of his police connections, and may have killed again because police turned too much of a blind eye to his activities.

As police eyeball us from their vantage point, the story unfolds.

What everyone is interested in is a

vicious killing that took place on the afternoon of July 26, 1996, when a young mother named Tania Furlan was bludgeoned to death with a hammer on her Howick doorstep, while her children played in another room. Her six week old baby was kidnapped by the killer, but found an hour later outside a church halfway across Auckland.

After a fruitless search for the murderer that lasted several months, police suddenly had a breakthrough and arrested a known bank robber, Christopher Lewis, in Christchurch. Detectives working the Furlan homicide wasted no time seducing journalists with “off the record” titbits: Lewis was a “psychopath”, Lewis “tried to shoot the Queen”, “he's a bad bastard”. Indeed, Lewis was so notorious that police arranged to ship him to Great Barrier Island for the duration of the Commonwealth Heads of Government Meeting in

1995 just in case he tried to kill any world leaders.

Lewis protested his innocence of the Furlan killing, insisting he was a bank robber, not a killer of women and kidnapper of babies. But the police had one clue: a shoeprint found at the scene that matched shoes found on Lewis' back doorstep.

To the news media, and most New Zealanders, it was all the innuendo needed to prove Lewis's guilt in the horrible crime.

But amidst the general condemnation, one question went glaringly unanswered: how did the police suddenly come to the conclusion that Lewis was the killer?

Enter a character known up until now as Jimmy the Weasel. Now, thanks to an Appeal Court ruling on December 12 lifting the injunction on this magazine first taken out by Burns and his lawyers and the Police in April 2000, we can tell you his real name: Travis Burns.

In Chris Lewis' book *Last Words*, published just after he electrocuted himself to death while awaiting trial in Mt Eden prison, Lewis alleged that Burns was the *real* killer. But Lewis had a PR problem: his prime suspect was the main witness for the police. Burns was the man who dobbed Lewis in. To any outside observer, at best it appeared to be merely a falling out between thieves, at worst a cynical attempt by Lewis to shift blame.

But who is Jimmy the Weasel? For a start, obviously, it wasn't his real name. The nickname arose because, as a police secret witness, Travis Burns' name was suppressed. So for the purposes of publishing Lewis' book, the name "Jimmy the Weasel" was chosen after its use on an Ansett Airlines commercial featuring British actor Robbie Coltrane.

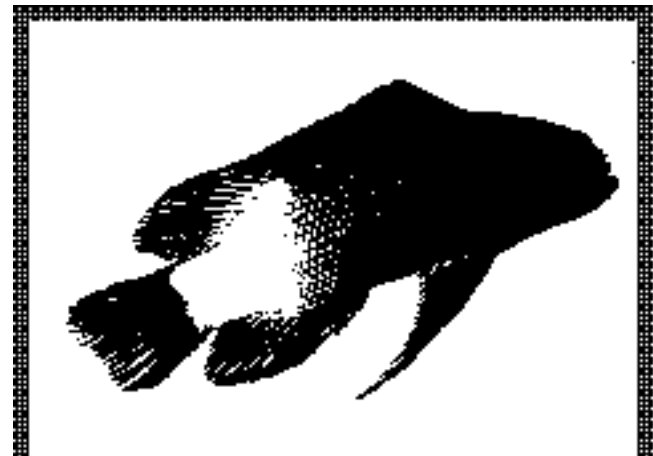
Following the book's release in 1997 the name stuck, largely out of convenience because of the ongoing suppression, being picked up by the media, criminals and police alike to refer to the man.

Before assessing what 'Tamaki' knows of him, it is worthwhile returning to what Lewis said of him: after all, detectives investigating two suspected serial murders studied *Last Words* in microscopic detail.

Chris Lewis met Travis Burns in Paremoremo Prison in 1993. "Travis confessed to me that he was serving a sentence of eight years' imprisonment for raping a woman in Auckland. He had been committing a burglary on a house when he was unexpectedly caught out by the owner, a Chinese woman who was alone in the house at the time.

"He had then decided to rape her, then rape her again in a vicious attack which reflected the length of sentence he had been given by the courts. He appeared quite non-plussed about the rape and burglary as if it had been just a walk in the park.

"Travis had been in trouble with the police since he



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was fourteen years of age. He had grown up in South Auckland and there, as a typical Maori youth, had run the gauntlet of alcohol, crime and drugs that seemed a natural pastime of many of the wayward unemployed who lived in the 'Bronx'."

With Burns' release date approaching, he allegedly began making plans for a life after "Parry". Those plans, according to Lewis, included a string of robberies – to be committed while using a halfway house provided by the Allan Nixon Charitable Trust as a base.

When Travis Burns was freed on this occasion, Lewis says he told him to stay out of trouble and "don't come back [to prison]". Burns' response?

"They'll have to catch me first."

"A while after Travis had left," writes Lewis, "I received a letter in the mail asking me to ring him at the Allan Nixon Trust...He told me that he had raided some farmhouses and acquired some firearms which he could use in his robberies. He seemed quite elated. He then outlined his plan to rob the bank in Warkworth."

History shows Travis Burns did rob the bank with a sawn-off shotgun, getting away with \$3,000. He committed several more gunpoint heists, including a motel, and allegedly boasted of events in

phone conversations with Lewis, who was still serving time on bank robbery charges of his own.

"It was just after closing time," said Burns. "I couldn't see a safe way to gain entry without being seen, so I had to get on the roof and smash a skylight to get inside. I then crept up and opened a door to find it was the rear entrance to the restaurant's kitchen.

"There were two cooks cleaning up the place. I stuck my gun into the back of one of them which allowed me to gain control of them both and then I tied them up with some really strong duct tape and then left to find the office where the money was kept.

"The office foyer was easy to find and there were two people behind the counter. I just walked up to them and pointed my gun and they quickly got the drift. But one of the women, when I asked for the day's takings, decided to get quite difficult and told me that there wasn't any money.

"But I pointed my gun and I was just about to blow her brains out when she thought better of it and showed me the money bag."

It was robbery number four, but Travis Burns' luck was running out. He'd been recognised on a bank secu-

rity video, and police raided the Trust while he was out, seizing an imprint of the note he'd handed the Warkworth bank teller. When they raided his girlfriend's house they found a stash of guns.

"The police spotted him driving a stolen vehicle," writes Chris Lewis, "and then a high speed chase ensued. But he crashed the car and made off on foot so the police gave chase on foot as well. He was running frantically now and knew the police weren't too far behind him in pursuit.

"He stopped and picked up a large piece of wood and waited for them to come around the corner. When an officer appeared, he violently assaulted him about the head with the wood, leaving him unconscious in a pool of blood."

According to Lewis, he didn't discover the detail until 1995 when he caught up with Travis "Jimmy the Weasel" Burns when the latter was transferred to Lewis' wing at Paremoremo. "For an armed robbery, escapes,

breaches of parole, grievous assault with a weapon and stealing a motor vehicle, Burns had only been sentenced to eighteen months when such a sentence would have been given to anyone else just on the firearms charge that had been found under his girlfriend's house. As it was, the police never discovered that Travis had held up the motel, and out of friendship

to him I never mentioned the fact to anyone.

"But all that aside, when I look back now I think it extremely suspicious that Travis was not given a more lengthy sentence. Had he made a secret deal with the police and become a police informant? The facts of the matter certainly point to some kind of 'deal' being made between Travis and the police. He was not sentenced for the bank robbery or the stash of firearms under his girlfriend's house, despite the weight of evidence against him. He was sentenced for assault and escaping from custody; the other charges mysteriously disappeared."

Christopher Lewis never knew for sure whether the Weasel had become a paid police informant or not, and his book reflects that doubt, but *Investigate* has since learnt that his suspicions were indeed correct.

During the meeting at the West Auckland park with 'Tamaki', the latter – who knows Travis Burns personally – confirmed that he was on the police payroll.

"He's provided a lot of key information to them on the Headhunters and Highway 61 gang. He's looked after real good. Real good. He's got a dedicated 'handler' at Henderson [police station]. He gets paid in cash by West

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Auckland police, under a false name on their books.”

The police refused to comment to *Investigate* at the time, but it is possible Burns has been on their books since his re-arrest in 1993, serving reduced time in compensation for providing information on other criminals. Such a situation would explain the otherwise inexplicable eighteen month sentence handed down when detectives chasing Travis Burns could have put him away for ten years for armed robbery.

During the attempt to gag *Investigate* from publishing this story, Detective Inspector Alan Collin told the High Court that Burns was not an informant at the time of either murder. But the police position was undermined when Burns’ own lawyers told the High Court their client had been paid \$30,000, a fact acknowledged by Justice Chambers in his ruling.

Chambers, who lifted the gagging order, believes the issues raised are of major public importance.

“A number of questions arise, all of great public interest:

“Mr Lewis wrote a book before he committed suicide. It was published after his death under the title *Last Words*. In it, he asserted that a man whom he called ‘Jimmy the Weasel’ had in fact killed Mrs Furlan. It is widely known, at least in some circles, that he was referring to Mr Burns when he used the name ‘Jimmy the Weasel’.

“In other words, Mr Lewis claimed not only that a key Crown witness lied when he gave evidence as to Mr Lewis’ alleged confession, but also that that key Crown witness was himself the murderer. What was Mr Lewis’ role in the Furlan murder? What was Mr Burns’?

“Mr Burns gave evidence in the McCarthy trial. It is clear from the jury’s verdict that they regarded him as a liar. That raises interesting questions as to how reliable his evidence was in the Furlan proceeding.

“Mr Burns was apparently paid \$30,000 for his evidence in the Furlan case. That raises questions as to the appropriateness of the police paying informers for the evidence they give.

“There are legitimate questions of great public interest as to the use of police informers at all, and as to the safeguards there should be as to the evidence they give. Are the existing warnings that judges give juries sufficient? Should the police have to disclose to the defence the terms on which informers are giving evidence?”

It was crystal clear from the Judge’s reaction during the hearing that he was shocked at discovering the true nature of the police secret witness programme, and on more than one occasion he signalled that it had such grave implications for the administration of justice, because of the potential for false and unreliable evidence, that it was worthy of detailed public debate.

The fact that a paid police informant was given \$30,000



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for putting Christopher Lewis in the frame for the Furlan murder, and permanent name suppression, and then that same informant was later convicted of an identical murder was, said the Judge, “exceptional”.

Why was Burns getting such special treatment from police? Was he of more use to police outside jail than in? And how did Burns fit into the Tania Furlan murder?

In 1995, Chris Lewis became eligible for parole and was released, leaving behind Burns. But in January 1996 he received a letter from him explaining that he’d be released soon and he wanted to “hit some more targets” on his robbery list. They stayed in loose contact until his release in June 1996, a month or so prior to Furlan’s killing.

Travis Burns was placed in a halfway house run by the Waipareira Trust, and Lewis ventured to see him there. If he had any doubts about the Weasel’s criminal intentions, they were quickly dispelled:

“That evening as we watched television he told me that he’d like to give the Chinese actor [Lynette Forday] on the television programme *Shortland Street* ‘a right sorting out’. I asked him what he meant and he simply smiled and said ‘I’ll f*** her whether she likes it or not’.

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investigate wins on immunisation complaint

The Press Council has not upheld a complaint by the Immunisation Advisory Centre about articles in the April/May (No.11) and June/July (No.12) issues of *Investigate* magazine.

The editor challenged the Council's ability to consider the complaint, saying the magazine did not fall within the Council's jurisdiction. Its owners had not been party to agreements reached between the Council and some magazine publishers.

In the lifetime of the Press Council there have been very great changes in the expectations of citizens and consumers regarding opportunities to make complaints about products and services, and about their treatment by bureaucracies and institutions of many kinds. The Council on its part needed to respond and has clearly stated its reasons for broadening its coverage. In Case No 764: Peters against NORTH AND SOUTH (1999 Report p. 68), the Council said: "Self-regulation of newspapers and magazines in New Zealand requires that the regulator ensures, as far as possible, that the public are not deprived of the right to complain about a publication." Similar considerations applied in the

CRACCUM complaints, Cases Nos. 783- 787, (2000 Report p.21 ; 30-38).

The policy now is that the Press Council considers complaints against newspapers, magazines and periodicals in public circulation in New Zealand (including their websites). There are exceptions with a publication of very limited or specialised readership. If the editor of a publication does not respond to the Council concerning a complaint, the Council will proceed to consider the complaint as best it can in the circumstances.

The Council has, therefore, taken up the complaint from IMAC. It claimed that *Investigate* had violated Press Council principles concerning accuracy, the distinction between comment and fact, and the need to make corrections. It said that the articles complained of had made a number of false allegations and misleading statements about immunisation, and about the actions of health authorities in New Zealand. Adverse publicity about the effects of vaccines had, in many countries, led to immunisation rates dropping because of the fears that had been raised.

In issue No.11 there were two articles on the alleged dangers of particular vaccines. The first article

drew on New Zealand and overseas material, and the second was written by an American author about experience in his country.

IMAC complained to the editor of *Investigate*, both about the content of the articles, particularly the first, *A Jab in the Dark* by Simon Jones, and about the magazine's failure to use information and contacts provided to it by IMAC in advance of publication. Dr Siniva Sinclair, on behalf of IMAC, sent the editor a seven- page response to this article.

In issue No.12 her covering letter and an abridged version of the IMAC response were published. The full text of the IMAC response had been posted on the *Healthtalk* message board on the *Investigate* website. Both pieces from IMAC in No.12 were accompanied by aggressive editorial comment contesting some of the points IMAC had made in rebuttal of the initial article. This issue also published 10 letters about immunisation, and 'directed readers to more on the magazine's web site. A letter to the editor from another IMAC staff member about the second article in issue No.11 was also posted on the website, but not published in the magazine.

In his response to the Press Coun-

The Council notes that *Investigate* gave significant space to IMAC's response, both in the magazine and on its web site. This is what the ongoing situation requires - a free exchange of views that will assist members of the public, especially parents of young children, to reach their own informed conclusions.

cil the editor vigorously affirmed his magazine's commitment to investigative journalism and its determination to expose the harmful effects of some vaccines and "not to be used as some Government/pharmaceutical propaganda mouthpiece." Notwithstanding his adherence to the jurisdictional point mentioned earlier he provided the Council with a large amount of material from overseas sources in support of his views.

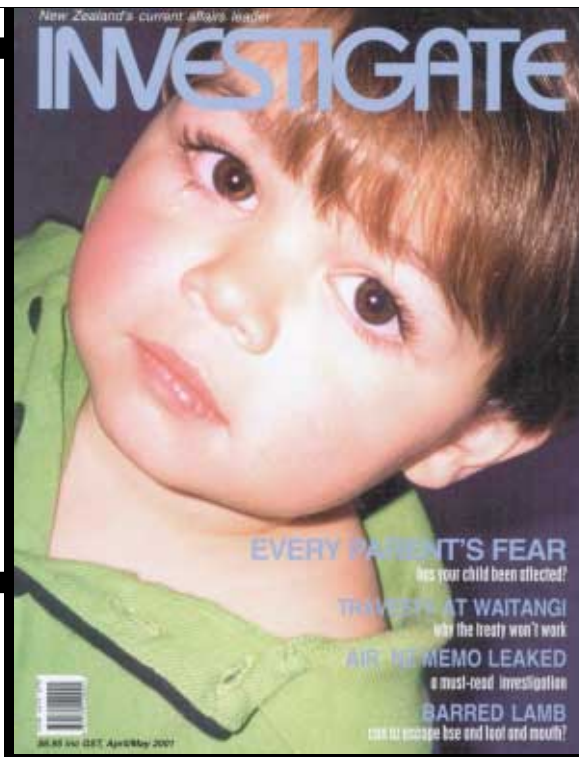
In considering the complaint the Press Council quickly became aware of two important considerations. Firstly, the particular articles are part of a continuing campaign by *Investigate* magazine to expose alleged deficiencies in official policy and publicity concerning immunisation. There had been an earlier vaccination story in issue No.10. and a later issue No.14 carried several more letters on the topic. The magazine's website, which carries much health-related material, is said to attract more readers than does the printed magazine.

Secondly, there is continuing international research into vaccine safety, proceeding alongside a vigorous debate about immunisation. This debate is being conducted in a wide range of publications, from prestigious medical journals to the

popular press, and in a great variety of tones, from the restrained exchanges of professionals to the strident outrage of those who see cover-ups and conspiracy at every turn. Nothing highlights the clash in viewpoints more than the gulf between those who base their opinions on population-level statistical analysis of the benefits of immunisation, and those engrossed by painful personal or anecdotal stories of adverse effects.

This is clearly not a situation in which the Press Council can apply any simple test to determine the accuracy and balance of the claims and allegations made in the particular articles against which IMAC complains. The Council is not constituted or resourced to pursue enquiries that might enable it to adjudicate on the complex issues, even if that were a feasible task in the short term.

There are other sound reasons why it should not make an adjudication founded on accuracy and balance. These are very large public issues under almost permanent surveillance and adjustment, often directly affected by a robust confrontation and exchange of views by the protagonists to the debate.



There are deeply-held convictions and passionate feelings at work in the immunisation debate and some protagonists express their views in ways that others find offensive.

Campaigning magazines such as *Investigate* aim to jolt readers into looking at things differently, and use hard-hitting tactics. It was unfair of the magazine to headline Dr Sinclair's response to Simon Jones article: gutter journalism scares parents: health authorities, implying she had used that derogatory term in her response. However, the Press Council does not think that, taken overall, the *Investigate* articles go beyond what is acceptable in this adversary style of journalism.

The Council notes that *Investigate* gave significant space to IMAC's response, both in the magazine and on its web site. This is what the ongoing situation requires - a free exchange of views that will assist members of the public, especially parents of young children, to reach their own informed conclusions.

The complaint is not upheld.