

**CERTIFICATE OF FINDINGS****Section 94, Coroners Act 2006**IN THE MATTER of **Nathan DEUTSCHBEIN****The Secretary**, Ministry of Justice, Wellington

As the Coroner conducting the inquiry into the death of the deceased, after considering all the evidence admitted to date for its purposes, and in the light of the purposes stated in section 57 of the Coroners Act 2006, I make the following findings:

Full Name of deceased: Nathan DEUTSCHBEIN

Late of: 23 Dunoon Drive  
Hazelbrook  
NSW  
Australia

Occupation: Police Officer

Sex: Male

Date of Birth: 25 May 1978

Place of Death: Eugenie Glacier  
Aoraki Mount Cook  
Canterbury  
New Zealand

Date of Death: 29 November 2018

Cause(s) of Death

(a). Direct cause: Unascertained mode and cause (external examination only)

(b). Antecedent cause (if known): Body retrieved from avalanche debris

(c). Underlying condition (if known): Alpine climbing mishap

(d). Other significant conditions contributing to death, but not related to disease or condition causing it (if known):

Circumstances of death:

(Refer to written findings)

I endorse the recommendations of the Mountain Safety Council:

- i. Attend an official avalanche training course which also includes avalanche rescue techniques. Courses can be found here: <http://www.avalanche.net.nz/education>.
- ii. Always thoroughly read, discuss and make sure you understand the official avalanche advisory for your area. If you are not sufficiently experienced or competent to understand the advisory, or have questions about the details, you should seek advice from a suitable source.
- iii. Whilst it is important to understand and apply the information in the avalanche advisories, it is also critically important to take into consideration locally observed conditions in a specific

area. For example, at Sefton Bivvy, in this situation, there were multiple warning signs: rainfall, no overnight freeze, evidence of avalanches in the immediate area, direct sun on the snowpack from early morning and soft snow underfoot when travelling.

- iv. Ensure that your climbing objective is in alignment with the current conditions. Always remain vigilant to changes in your environment and always be prepared to assess those conditions and turn around.
- v. Always establish a "turn around time" for any return trip, especially in the mountains where snow melt can cause significant risks as the day progresses.
- vi. In line with International Commission for Alpine Research recommendations, always administer CPR with ventilations for avalanche victims if they are not showing signs of life and not showing any signs of obvious death, after removing as much snow as possible from mouth and nose. The only exception to this rule is if they patient has been buried for over one hour and their mouth and nose is totally blocked with snow and ice and there are other patients who also need to be rescued. A person is not dead until they are warm and dead, and verified by an appropriate medical professional.

I have, under s 74 of the Coroners Act 2006 I prohibit making public any of the photographs of Mr Deutschbein entered into evidence upon the grounds of personal privacy and decency. I am satisfied that such interests outweigh the public interest (if any) in the publication of those images.

Those findings, and my reasons for making them, are also set out in my written findings dated: 18 January 2021.

Signed at Dunedin on 18th day of January 2021.



---

**Coroner David Robinson**

**THIS FINDING IS SUBJECT TO PROHIBITIONS AND RESTRICTIONS ON  
PUBLICATION UNDER S 74 OF THE CORONERS ACT 2006**

**IN THE CORONERS COURT  
AT DUNEDIN  
(IN CHAMBERS)**

**CSU 2018-CCH-000865**

**I TE KŌTI KAITIROTIRO MATEWHAWHATI  
KI ŌTEPOTI  
(I TE TARI)**

**UNDER THE CORONERS ACT 2006**

**AND**

**IN THE MATTER OF An inquiry into the death of  
NATHAN DEUTSCHBEIN**

Date of Findings: 18 January 2021

---

**FINDINGS OF CORONER D P ROBINSON**

---

**Introduction**

[1] Nathan Deutschbein died on 29 November 2018 when he was caught in an avalanche and became buried while descending the Eugenie Glacier in the Aoraki - Mount Cook National Park with a climbing companion.

**Report and Inquiry**

[2] Because of the circumstances of the death, the matter was referred to the Coroner.<sup>1</sup>

[3] Section 57 Coroners Act 2006 (“the Act”) requires a Coroner to conduct an inquiry, not to determine civil, criminal or disciplinary liability but to establish, so far as

---

<sup>1</sup> Coroners Act 2006, ss 13(2) and 14(2)(a).

is possible, that a person has died, the person's identity, when and where the person died, the causes of the death and the circumstances of the death.

[4] A Coroner may make specified recommendations and comments in relation to a death which may, if drawn to public attention, reduce the chances of further deaths in similar circumstances.<sup>2</sup>

[5] Having given due consideration as to whether or not an Inquest Hearing is necessary or desirable in this case, having complied with the requirements of s 77 of the Act, and after having given appropriate Notice, I have decided to conclude my inquiry by conducting a Hearing on the Papers and giving a Chambers Finding.

### **Issues**

[6] The issues arising for my consideration are:

- (a) The cause of death;
- (b) The circumstances of death;
- (c) Could the death have been prevented? and
- (d) Are any recommendations or comments appropriate?

### **Cause of Death**

[7] After an objection to a full post-mortem examination was lodged by Mr Deutschbein's family, an external examination was undertaken by Forensic Pathologist, Dr Martin Sage, on 4 December 2018. He observed minor external injuries including a minor abrasion on the right cheek and noted there were no external injuries to the hands, forearms, upper arms, front or back of the torso or lower limbs. Nor were there any perforating or penetrating wounds from entanglement with crampons or climbing tools.

[8] Samples of blood and urine were submitted to ESR for toxicological analysis.

---

<sup>2</sup> Coroners Act 2006, ss 57(3) and 57A.

[9] Traces of alcohol, less than 5 milligrams per 100 millilitres, were detected in the blood and urine. Trace levels of alcohol may be due to means other than deliberate ingestion.

[10] There was no evidence in the blood for recent use of cannabis.

[11] Acetone, which is a normal product of metabolism, was detected in the blood at less than 10 milligrams per litre and in the urine at approximately 20 milligrams per litre. ESR observed that elevated acetone concentrations most commonly arise from uncontrolled diabetes or a prolonged period of fasting, starving or exercise. Dr Sage reported that the acetone concentration is most likely a result of sustained vigorous exercise, entirely compatible with several hours of alpine climbing. The finding of acetone assumes no significance for the purposes of my inquiry.

[12] In Dr Sage's view, the cause and mode of death could not be ascertained from external examination only.

### **Narrative**

[13] Mr Deutschbein was aged 40 when he died. He was an Australian national who lived in New South Wales and worked as a police officer. Mr Deutschbein had been mountaineering for a while and had completed a ten-day Technical Mountaineering Course in 2012 which covered glacier technique, climbing, cramponing, crevasse rescue and avalanche danger.

[14] On 25 November 2018, after six months of planning, Mr Deutschbein travelled from Australia to Christchurch with his friends, Ion Mihaila and Conor Quinn. They had travelled to New Zealand together on several occasions before and had climbed Mount Aspiring, Nuns Veil, Hoschsdetter Dome and Mount Aylmer.

[15] After arriving in Christchurch, the group travelled to Mount Cook Village with the intention of climbing mountains in Aoraki - Mount Cook National Park. Their original intention was to fly in to Kelman Hut at the head of the Tasman Glacier and then climb Mount Elie De Beaumont, which would have taken around four to five days. They were prepared for poor weather and had allowed ten days at Mt Cook Village. They had also brought an inflatable pack raft to use on small lakes if unable to climb due to weather.

[16] The weather reports were not good when they arrived causing them to remain in the village for several days. The group spent that time checking the weather, chatting to Department of Conservation (DOC) Visitor Centre staff and taking their inflatable pack raft on Hooker Lake. They spent a lot of their time discussing their climbing options.

[17] On 27 November 2018, the weather forecast predicted spells of fine weather on 29 November 2018 and the group decided they would walk up to Sefton Bivvy the next day and then climb to The Footstool the following day. Given the short window of opportunity, this alternate plan meant they would be able to walk in and not have to rely on flights.

[18] The group inquired about avalanche danger and were advised that the avalanche advisory for Aoraki – Mount Cook was previously high but had been downgraded to moderate leading up to 28 November 2018. Mr Quinn recalls seeing a DOC noticeboard advising that the avalanche risk was “downgraded to low”, with a few aspects at higher elevation that was still at moderate risk.

[19] On 28 November 2018 the group rented avalanche transceivers and probes. At approximately midday, they set off on foot from the Hooker Valley car park, arriving at the Sefton Bivvy hut just before 4:00pm. They spent the next few hours reading guidebooks, talking to others at the hut and walking out 150 – 200 metres from the hut to see the safest route and plan their approach for the following day. While doing so they saw evidence of old avalanches.

[20] At 7:00pm DOC advised via radio that the weather forecast was for fine spells the following day. The group advised DOC staff of their intention to climb The Footstool. Mr Quinn also checked MetService which forecast “sunny periods with possible showers in the afternoon.” They retired to bed at about 8:30pm, having set their alarms to 3:30am.

[21] On 29 November 2018 the group woke at 3:30am. It was raining so they decided to wait a bit longer before starting their climb. They woke again at 5:30am and thought the weather looked good as they could see the mountain.

[22] The group set off just after 6:00am. Mr Quinn noted that they were up to their ankles in snow as there was no freeze overnight. Mr Quinn felt unwell, and by 6:30am he decided to turn back.

[23] Mr Deutschbein and Mr Mihaila continued, reaching the saddle at the top of Eugenie Glacier on the Main Divide, at 12:00pm. Mr Mihaila recalls that they could not see The Footstool due to the cloud cover. The weather was getting worse and it was starting to rain. They could see snow sliding down the mountain a couple of hundred metres away from them. They had lunch on the saddle and decided to head back down to Sefton Bivvy, at around 12:15pm.

[24] They descended back the way they climbed up, staying roped together. At about 1:00pm, when they were halfway down Eugenie Glacier, they were hit by a naturally occurring loose wet avalanche. They were carried about 250 vertical metres.

[25] Mr Mihaila was relatively unscathed having stayed on the surface of the avalanche and was able to unclip himself from his pack and untangle from the rope. He started looking for Mr Deutschbein and found him about five metres away. Mr Deutschbein's legs were exposed on the surface with his upper body trapped under the snow. Mr Mihaila used gloves and a shovel to dig down to Mr Deutschbein's face, which was about half a metre below the surface. His nose and mouth were full of snow. Mr Mihaila tried to clear the snow and shook him, but Mr Deutschbein did not respond. He was purple, and Mr Mihaila knew he was gone.

[26] Mr Mihaila activated his Personal Locator Beacon. He used the shovel to clear the snow from around Mr Deutschbein and called Police to describe the situation. An hour later a helicopter arrived and rescued Mr Mihaila, returning him to Sefton Bivvy. Mr Deutschbein's body was recovered and returned to Sefton Bivvy. No CPR efforts were initiated by members of the Search and Rescue team as it was apparent Mr Deutschbein had been deceased for a period of time.

### **Expert report**

[27] As part of my inquiry, I commissioned an independent review of the circumstances of Mr Deutschbein's death from the New Zealand Mountain Safety Council (MSC).

[28] The MSC produced a report which identified a number of causative factors in this incident.

*Weather and snow conditions*

[29] MSC identified weather and snow conditions as one of the causative factors. The group were well aware of the risks of avalanche and monitored the weather and avalanche forecasts after arriving at the Mount Cook Village.

[30] However, the MSC noted that even when the Eugenie Glacier route is in a good condition for climbing, the morning sun impacts the snow surface quickly and can significantly alter the stability as the angle is steeper and faces directly east into the rising and warming sun.

[31] On 29 November 2018 sunrise was at 5:54am so even by 8:00am “on a good day” the route would become unconsolidated, with the surface having lost its firmness and the ability to support the load of a person. By 6:00am the Eugenie Glacier was already in the sun. By 6:10am the snow would have started warming and melting. This sunlight, combined with the warm easterly air flow and the rain overnight, provided the right combination of factors for wet loose avalanches to occur.

[32] As a result, the group was exposed to heightened avalanche risk on their chosen route. A small, naturally occurring loose wet avalanche from near to the summit of The Footstool then triggered a larger nature loose wet avalanche, which carried both Mr Deutschbein and Mr Mihaila down the glacier.

*Incorrect interpretation of the avalanche dangers*

[33] The MSC reported that the group’s incorrect interpretation of the avalanche dangers was another causative factor in this incident. On 27 November 2018 at 3:16pm an advisory was issued with a “moderate” risk level for elevations above 1,400 metres. This advisory identified loose wet avalanches as a secondary danger as there could be “residual slides in the heat of the day on all aspects when the rain begins.” This advisory correctly identified a moderate risk, meaning “heightened avalanche conditions on specific terrain features.”

[34] As discussed above, Mr Quinn understood the avalanche risk as being “low”, but the forecast clearly indicated “moderate” risk at all elevations above 1,400 metres, with



specific reference to loose wet avalanches in the heat of the day and on all aspects in case of rain.

### *Experience*

[35] The MSC noted that The Footstool would be considered an appropriate choice for the group's skill level. They did not appear to be wanting to push boundaries or take undue risk. The Footstool is often a peak attempted by climbers who are looking to progress their skills or who are relatively new to mountaineering and, under more suitable and stable conditions, it generally provides the ideal outing for people in this category.

[36] However, the MSC found that the group failed to recognise the heightened avalanche risk and to turn back earlier. The MSC also considered whether CPR should have been performed on Mr Deutschbein by Mr Mihaila.

[37] With respect to the heightened avalanche risk, the MSC noted that it had rained overnight and in the early morning of 29 November, resulting in no overnight freeze. This increased the risk of wet loose avalanches significantly, which the group may not have been aware of. There was also evidence of previous avalanches and the group saw avalanches that started at around midday on 29 November 2018. All these observations are "class one avalanche information" and represent the most telling examples of current danger.

[38] The MSC also noted that an "alpine" start at 2:00am or 3:00am is important for this route to ensure that mountaineers are back across the Eugenie Glacier before mid-morning when the snow has been significantly weakened by the heat. An experienced mountaineer would have identified the heightened avalanche risk from the soft snow conditions observed by Mr Mihaila that made travelling up the glacier more difficult.

[39] With respect to their failure to turn back earlier, the MSC observed that an ascent of this route on The Footstool would take about eight to ten hours return from Sefton Bivvy. Typically, mountaineers would aim to be back at the bivvy by midday.

[40] The group took one hour to travel from Sefton Bivvy across the Tewaewae glacier to the dividing ridge into the Eugenie Glacier. This is an appropriate time for the distance covered. However, it took a further five hours to ascend the Eugenie Glacier, to the saddle.

This is much slower than would be considered an average time, which is about two hours. This indicates they were travelling slowly, most likely as a result of the soft snow conditions.

[41] It is unclear if the group had decided on a turn-around time to ensure they were back at the bivvy before midday. Mr Quinn was expecting the others back at midday, which would mean he expected them to turn around at approximately 9:00am. Mr Deutschbein and Mr Mihaila clearly did not turn around as expected. It took them six hours to reach the saddle, which was less than half the total distance they had intended to climb that morning, indicating poor travel conditions.

[42] Due to their late departure and slow travel, the pair were not descending until the afternoon, on a day that had not seen any overnight freeze. By this time the snow would have received many hours of solar radiation, causing warming and melting.

[43] With respect to Mr Mihaila's failure to commence CPR on Mr Deutschbein, the MSC noted that there is some debate in the mountaineering and avalanche rescue community about whether he should have done so. The MSC did not consider this failure a contributing factor to the incident but noted there was a value in discussing it as it is relevant to recommendations which the MSC would expect of any trained person with duty to respond to an avalanche victim as well as any person undertaking a recreational activity in an area with avalanche risk.

[44] The MSC noted that Mr Mihaila managed to dig Mr Deutschbein out of the snow relatively quickly (within 30 minutes of the avalanche) but made no attempt to perform CPR on him as he did not believe it would be possible to revive him. While this decision may not have changed the actual outcome, performing CPR after locating a patient involved in an avalanche burial is apparently a common practice in avalanche rescue scenarios.

[45] The MSC referred to the International Commission for Alpine Research according to which many people have been revived after their breathing stopped following an avalanche burial. The MSC noted that at that point of Mr Deutschbein's hypoxic state (estimated to be somewhere between 10 to 20 minutes after the incident at the point where

Mr Mihaila cleared his face), and not being fully buried, he could have been a potential candidate for a successful resuscitation.

[46] It would be entirely speculative to offer any view on whether the application of CPR might have altered the outcome in this case. Even if CPR was commenced, I have doubts about whether effective CPR could be sustained by Mr Mihaila alone for a sufficient period to allow for the arrival of personnel capable of providing advanced life support.

### *Human Factors*

[47] The MSC observed that given the group had travelled from Australia with only a limited window of opportunity to climb, there was a reasonable amount of time pressure on them.

[48] November is notorious for unsettled weather and very short periods of potential climbing windows in between frontal systems. The group's decision to vary from their original plan was commendable when the small weather window on 29 November 2018 seemed like their only chance to salvage their trip.

[49] Unfortunately, on this occasion the risks present were still, in the assessment of the MSC too great. Mr Mihaila and Mr Deutschbein failed to turn back to the bivvy in time, exposing themselves to a heightened chance of loose wet avalanches, and the result claimed Mr Deutschbein's life.

### **Police inquiries**

[50] Investigating police have advised my inquiry that they are satisfied that there is nothing suspicious or untoward in relation to Mr Deutschbein's death. I accept this advice.

### **Recommendations?**

[51] The MSC made a number of recommendations to mountaineers which I consider appropriate and endorse below.

[52] The MSC encourages all mountaineers to:

- i. Attend an official avalanche training course which also includes avalanche rescue techniques. Courses can be found here: <http://www.avalanche.net.nz/education>.
- ii. Always thoroughly read, discuss and make sure you understand the official avalanche advisory for your area. If you are not sufficiently experienced or competent to understand the advisory, or have questions about the details, you should seek advice from a suitable source.
- iii. Whilst it is important to understand and apply the information in the avalanche advisories, it is also critically important to take into consideration locally observed conditions in a specific area. For example, at Sefton Bivvy, in this situation, there were multiple warning signs: rainfall, no overnight freeze, evidence of avalanches in the immediate area, direct sun on the snowpack from early morning and soft snow underfoot when travelling.
- iv. Ensure that your climbing objective is in alignment with the current conditions. Always remain vigilant to changes in your environment and always be prepared to assess those conditions and turn around.
- v. Always establish a “turn around time” for any return trip, especially in the mountains where snow melt can cause significant risks as the day progresses.
- vi. In line with International Commission for Alpine Research recommendations, always administer CPR with ventilations for avalanche victims if they are not showing signs of life and not showing any signs of obvious death, after removing as much snow as possible from mouth and nose. The only exception to this rule is if they patient has been buried for over one hour and their mouth and nose is totally blocked with snow and ice and there are other patients who also need to be rescued. A person is not dead until they are warm and dead, and verified by an appropriate medical professional.

[53] I encourage the MSC, and other applicable interest groups, to continue to give publicity to these recommendations, and to adopt them in their educational programmes.

## **Findings**

[54] I find that Nathan Deutschbein died when he was caught in an avalanche and became buried while descending the Eugenie Glacier in the Aoraki - Mount Cook National Park on 29 November 2018.

[55] In WHO standard format the cause of death is:

1a: Unascertained mode and cause (external examination only).

1b: Body retrieved from avalanche debris.

1c: Alpine climbing mishap.

2:

[56] The manner of death is accidental.

## **Publication restriction**

[57] Under s 74 of the Coroners Act 2006 I prohibit making public any of the photographs of Mr Deutschbein entered into evidence upon the grounds of personal privacy and decency. I am satisfied that such interests outweigh the public interest (if any) in the publication of those images.

## **Concluding remarks**

[58] I extend my deepest condolences to Mr Deutschbein's family and friends.



Coroner D P Robinson