

**Provincial Gendarmerie Headquarters  
for Tirol - Criminal Investigation Division**

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**CID Investigations Unit 02 – Life, Limb & Health**

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Case officer: KRAPPINGER

File reference:  
L 1792/03-Kra

MacPHERSON Duncan Alvin, born 3.2.1966;  
Discovery of his body on the Stubai glacier/Tirol–  
Incident report

[stamp: “District Administration Office, Innsbruck  
Received 24 September

To  
2003”]  
Public Prosecutor’s Office  
Innsbruck, 6010

**Personal details:**

MacPHERSON Duncan Alvin, born 03.02.1966 in Saskatoon/Canada, Canadian citizen,  
single, professional hockey player, last address 1630 Prince of Wales Avenue, Saskatoon,  
Saskatchewan, Canada;

*Parents:* Lynda G. and Robert J. MacPHERSON;

**Facts of the case:**

Since 1.8.1989 Duncan Alvin MacPHERSON has been considered missing and  
assumed to have been involved in an alpine accident in the vicinity of the Stubai glacier,  
in the municipality of Neustift im Stubai, 6167, in the district of Innsbruck-Land, Tirol.  
Several searches proved fruitless and a final detailed incident report was submitted to  
section 34 of the provincial court in Innsbruck on 14.1.1990 under file reference P  
3079/89-Kl.

On 18.7.2003, at about 15.00, an employee of Stubaier Bergbahnen KG & Co.  
[Stubai Mountain Cableways Limited Partnership], discovered the remains of a body in  
the ice of the glacier revealed after the glacier snow cover had melted on the so-called

Schaufelferner, some 300 metres above sea-level, above the "Eisgrat" station, between lift supports 7 and 8, on the Stubai glacier in the municipality of Neustift im Stubai.

After the body parts had been retrieved by an alpine unit of the gendarmerie, a wallet was found in one of the pockets of the clothing that had been preserved, containing several pieces of identification and visiting cards – all in the name of *Duncan Alvin MacPHERSON*.

The dead man was finally identified indisputably as Duncan Alvin MACPHERSON on the basis of various characteristics. There is no doubt about the identity. See also the enclosed identification report.

There was no indication of third party fault.

### **Results of the investigation:**

Duncan Alvin MacPHERSON last contacted his parents by telephone on 10.8.1989. He called from Füssen, Germany, and let them know that he was planning to travel to North Italy via Tirol and would arrive in Scotland on 12.8.1989. He never reached Scotland, however, and on 1.9.1989 his parents finally reported him missing to the autobahn gendarmerie in Schönberg im Stubai.

On 20.9.1989 Georg HOFER of Neustift im Stubai, 6167 reported to the gendarmerie station in Neustift im Stubai that he had seen Duncan Alvin MacPHERSON's car—a red Opel Corsa with the registration number N-EH 204 (D), which the TV program "Tirol Heute" had said the police were looking for, in the parking lot of the Stubai glacier cableway, or Mutterbergalm cableway.

Inquiries made by the Neustift gendarmerie station concerning the whereabouts of the person in question finally revealed that the animator of the "Mutterbergalm" apartment hotel, Mr. Walter HINTERHÖLZL, remembered Duncan Alvin MacPHERSON. MacPHERSON had taken snowboarding instruction with him on the Stubai glacier on the morning of 9.8.1989 and it was agreed that he would come back again the next day (10.8.1989) to continue the instruction. However, Duncan Alvin MacPHERSON never turned up.

Only later did Walter HINTERHÖLZL learn that MacPHERSON did not go straight to Tal around 12 noon after the end of the first snowboarding lesson, but went up in the lift twice more that afternoon (9.8.1989).

On the basis of this information it was presumed that there had been a mountain or snowboarding accident in the Stubai glacier area. However, several searches conducted by the alpine unit of the gendarmerie, as well as the Neustift im Stubai mountain rescue service and Mountain Watch organization, proved unavailing. It should be mentioned that the searches extended to the crevasses in that area, and trained personnel were even lowered into the crevasses to look.

#### **The discovery of the body:**

At 15.15 on 18.7.2003 Mr. Michael TANZER (see statement), manager of Stubaier Bergbahnen KG & Co., located at 2 Mutterberg, Neustift im Stubai, 6167, rang the Neustift im Stubai gendarmerie station with the news that one of his employees, Peter BIRSAK, had found a glacier corpse on the so-called Schaufelferner, above the "Eisgrat" station, on the Stubai glacier in the municipality of Neustift.

The mortal remains were attached to a cable and transported by the helicopter of the Federal Ministry of the Interior to Tal at around 7.30 p.m., and handed over to undertaker Heidegger from Trins in the parking lot in Mittelberg.

(See the relevant reports on the discovery and retrieval of the glacier corpse in the CAP messages - appendices 1 and 2 - and the separate report on the investigation and photos from the AEG [Alpine Einsatzgruppe = alpine special services unit] Innsbruck-Land).

At the mortuary in Neustift im Stubai the officers of the local gendarmerie detachment found in one of the pockets of the partially preserved clothing of the dead man a wallet containing several pieces of identification and visiting cards—all in the name of Duncan Alvin MacPHERSON. Hence it was assumed that the corpse was that of the Duncan Alvin MacPHERSON who had been missing since 11.8.1989.

After a telephone consultation with the head of the CID at the Provincial Gendarmerie Headquarters for Tirol, the inquiry was taken over and completed by

**AbtInsp<sup>1</sup> KRAPPINGER of investigations unit 1102 (Life- Limb and Health) together with officers from support services unit 1116 (Crime Scenes and Records).**

### **Examination of the body:**

The body was examined on 18.7.2003 at 9 p.m. by the district physician Dr. Kurt SOMAVILLA from Fulpmes, and in his opinion the death was probably due to multiple trauma.

### **Court orders:**

The discovery of the glacier corpse was reported to the public prosecutor on duty, Mag. SCHIRHAKL of the Innsbruck Provincial Gendarmerie. However, no post-mortem was ordered, as there was no evidence of third party fault.

Nor did the public prosecutor make any proposals concerning identification (e.g. a DNA analysis), so, as provided for in special cases and in the Security Police Act, the **District Administration Office, Innsbruck** was contacted. Dr. Bernhard KNAPP (Security Department), in response to our request under § 66 (1) of the Security Police Act, decided that:

- 1) the teeth of the corpse should be examined, and
  - 2) the DNA material should be preserved for the purposes of later comparison, if any.
- (see the decision in appendix 3)

After the remains were transferred from the Heidegger funeral home to the Institute for Forensic Medicine in Innsbruck on 22.7.2003, the identification procedures ordered were performed by Univ.-Prof. Dr Walter RABL in the presence of officers of the Criminal Investigation Division of the Provincial Gendarmerie Headquarters for Tirol. Since then the expert has submitted his assessment to the Board of Administration in Innsbruck direct.

The identification report of support services unit 16 (Crime Scene and Records) of the CID regarding the distinguishing features of the discovered corpse or body parts and other relevant information forms a separate appendix.

It shows there is no doubt that the discovered glacier corpse is that of Duncan Alvin MacPHERSON, who has been missing since 11.8 to 09.08.1989, and this was not disputed by his family either.

## How the accident occurred

As already mentioned, Duncan Alvin MacPHERSON took a snowboarding lesson with Walter HINTERHÖLZL, animator of the Mutterbergalm apartment hotel, on the morning of 9.8.1989. To this end he appears to have rented a Durett [sic] 1700 (170 cm) snowboard from "Sport Shop 3000" at Eisgrat station at the top of the cableway .

After two hours of instruction and the subsequent shared lunch, MacPHERSON, as would be established later, went up in the lift twice more on his own in the afternoon of 9.8.1989 to practise with his snowboard. (See the relevant statement in the incident report of 14.1.1990, reference P 3079/89-K1, submitted to the Provincial Gendarmerie, Innsbruck.)

One can only speculate as to the actual cause of the accident. Duncan Alvin MacPHERSON, as a *beginner*, may have fallen out of the ascending "Eisjoch II" lift at the level of support 7, in the vicinity of the crevasses situated there. As it is impossible to come down from there along the track of the lift, and it would probably have seemed too difficult to climb up, he could have taken the short cut across the *fenced-off* crevasse area to the piste, and in doing so fallen into one of the crevasses. It is worth recalling that a Japanese lost his life the year before, in roughly the same spot, because he fell out of that lift and took the shortcut to the piste across the fenced-off crevasse area. Unlike in the case of Duncan Alvin MacPHERSON, it proved possible to rescue the Japanese that same day, though more dead than alive due to hypothermia.

This area, which is also the place where the body was discovered, was blocked off by a long mesh fence at the time, and bearing in mind that the glacier has shifted approximately 60 metres downhill and some 10 metres eastward in the meantime, it is clear that the site would actually have been within the fenced-off area.

Every morning before skiing begins, the piste supervisor or one of his subordinates checks the pistes, and especially the areas containing known hazards. If they discover that shallow depressions have formed in the snow cover, an extensive fence is installed around the area. In late autumn, as soon as there is enough snow on the glacier, the fences are removed and the crevasses are filled with snow using a "piste basher". The area is then declared safe and opened to ski

(See what the employees of the Stubai Bergbahnen KG & Co. had to say under the heading "Information Sources", as well as the enclosed statements).

**The "Duret" snowboard discovered alongside the corpse** bearing the serial number 165 52277 could not be traced back to any of the commercial rental firms at the Stubai glacier.

According to [apartment hotel] animator Walter HINTERHÖLZL (see his statement of 14.8.1990), Duncan Alvin MacPHERSON had rented the board at Sport Shop 3000 at the Stubai glacier. However, when inquiries were made at the shop at that time, the manager Josef REPETSCHNIGG could not find any snowboards missing or unaccounted for. (See his statement of 13.8.1990).

These circumstances are significant insofar as the parents severely criticized the authorities at the time, saying that if they had begun their search much earlier, the absence of the snowboard apparently rented from Sport Shop 3000 would have been discovered or reported.

It is understandable, therefore, that after the discovery of MacPHERSON's body became known, the manager and employees who had worked there at that time, were interested in the snowboard found with him.

After the snowboard had been inspected by Josef REPETSCHNIGG (for his personal details, see the statement of 13.8.1990) and a Mr. Gerhard ENGLEDER, also from Sport Shop 3000, at the local station, both of them said that they had never had such a snowboard available for hire at their shop.

On 31.7.2003, the manager of Intersport Eisgrat-Wintersport Tirol AG [joint-stock company], Mr. Peter SCHLÖGL, born 4.7.1954 in Trins, address 140 Trins, 6152, was shown a photo of the retrieved snowboard and also said he was certain that it was not a rental board from the Stubai glacier.

(See the relevant CAP message from the gendarmerie station in Neustift im Stubai, appendix 4)

The place of origin of the rental board could not be ascertained.

**Informants:**

- 1) Michael TANZER, born 17.2.1967 in Hall, Tirol., manager, address 27 Franz Sennstr., Neustift im Stubai, 6167 (His statement will be found in appendix 5).
- 2) Günther MÜLLER, born 14.5.1955 I Innsbruck, deputy piste supervisor, address 33 Gasteig, Neustift im Stubai, 6167 (His statement will be found in appendix 6)
- 3) Walter MÜLLER, born 22.5.1957 in Innsbruck, piste supervisor, address 13 Tschaffinia, Fulpmes. (His statement will be found in appendix 7)

### Enclosures

As mentioned

### Copies to:

- 1) District Administration Office, Innsbruck
- 2) Gendarmerie station, Neustift im Stubai