



IN THE CORONERS COURT
OF VICTORIA
AT MELBOURNE

COR 2023 004521

FINDING INTO DEATH WITHOUT INQUEST

Form 38 Rule 63(2)

*Section 67 of the **Coroners Act 2008***

Findings of:	Coroner David Ryan
Deceased:	Niels Gunther Becker
Date of birth:	25 October 1980
Date of death:	Between 26 and 28 October 2019
Cause of death:	Unascertained
Place of death:	Bushland surrounding Mount Buller, Victoria
Keywords:	Missing Person – suspected death – police search

INTRODUCTION

1. On 26 October 2019, Niels Gunther Becker was 39 years old when he went missing while hiking in bushland surrounding Mount Buller. At the time of disappearance, Niels lived in Hampton with his parents, Peer and Johanna Becker. He is also survived by his sister Karen Becker. He was an intelligent and creative man who is warmly remembered by his family.

BACKGROUND

2. Niels's medical history included schizophrenia and he was administered monthly injections of aripiprazole.¹ He also had a history of cannabis use earlier in his life. He did not have a history of suicidal ideation. At the time of his disappearance, Niels was physically fit and his mental health was stable.
3. Niels was an enthusiastic walker with some navigation skills and had previously hiked overnight in the Mount Stirling area in December 2018.

THE CORONIAL INVESTIGATION

4. On 16 August 2023, Niels's death was reported to the coroner as it fell within the definition of a reportable death in the *Coroners Act 2008 (the Act)*. Reportable deaths include deaths that are unexpected, unnatural or violent or result from accident or injury. Under section 3 of the Act, death includes suspected death.
5. The role of a coroner is to independently investigate reportable deaths to establish, if possible, identity, medical cause of death, and surrounding circumstances. Surrounding circumstances are limited to events which are sufficiently proximate and causally related to the death. The purpose of a coronial investigation is to establish the facts, not to cast blame or determine criminal or civil liability.
6. Under the Act, coroners also have the important functions of helping to prevent deaths and promoting public health and safety and the administration of justice through the making of comments or recommendations in appropriate cases about any matter connected to the death under investigation.
7. Victoria Police assigned an officer to be the Coronal Investigator for the investigation of Niels's death. The Coronal Investigator conducted inquiries on my behalf, including taking

¹ Aripiprazole is an antipsychotic drug used for the treatment of schizophrenia.

statements from witnesses – such as family, the forensic pathologist, treating clinicians and investigating officers – and submitted a coronial brief of evidence.

8. This finding draws on the totality of the coronial investigation into Niels's death. While I have reviewed all the material, I will only refer to that which is directly relevant to my findings or necessary for narrative clarity. In the coronial jurisdiction, facts must be established on the balance of probabilities.²
9. The coronial investigation of a suspected death differs significantly from most other coronial investigations which commence with the discovery of a deceased person's body or remains. The focus in those cases is on identification of the body or remains, a forensic pathologist's examination and advice to the coroner about the medical cause of death and, where possible, the circumstances in which the death occurred.
10. Absent a body or remains, the coronial investigation focuses on the last sighting of the person suspected to be deceased; any subsequent contact with family, friends or authorities; and any evidence of proof of life since the last sighting. In such cases, the coronial investigation must first endeavour to establish, on the balance of probabilities, whether the person suspected to be deceased – is deceased. Such proof of death often relies on the absence of evidence that the person is alive, such as: physical searches for the person; a lack of contact with known friends, family or colleagues; a lack of banking or like activities; and the lack of an "*electronic footprint*" that is usually evident with innumerable modern everyday activities. It also relies on other circumstantial evidence such as the prevailing environmental conditions and the individual attributes of the person suspected to be deceased, including their state of health.

CIRCUMSTANCES OF DISAPPEARANCE

11. Niels had planned to go on a seven-day hike in the Victorian High Country to coincide with his 39th birthday. He left his parents' house in a hire car (2018 white Nissan Qashqai) on 24 October 2019. His parents recalled that he had been wearing a grey jacket and a white baseball cap. Niels had received his scheduled monthly injection of aripiprazole on 23 October 2019.
12. Later on 24 October 2019, Niels attended the Mansfield Police Station and submitted a Trip Intentions Form which identified his hiking schedule and planned camping locations. He had

² Subject to the principles enunciated in *Briginshaw v Briginshaw* (1938) 60 CLR 336. The effect of this and similar authorities is that coroners should not make adverse findings against, or comments about, individuals unless the evidence provides a comfortable level of satisfaction as to those matters taking into account the consequences of such findings or comments.

also left a handwritten itinerary with his parents. Niels planned to return home on 30 October 2019. He indicated in the form that he was carrying appropriate gear, including food and water for seven days, a lighter, maps and a compass.

13. Niels planned to spend his first night in Upper Jameison Hut and he left his vehicle parked on the side of Brocks Road about 800 metres from the hut. At around 9.32pm, Niels sent a text message to his father advising that he had arrived at Upper Jamieson Hut and there was not much phone reception.
14. Niels had planned to stay overnight on 25 October 2019 at MacAlister Hut. On 26 October 2019, Niels sent a text message to his father stating that he was at Macalister Hut.³ Later in the morning at around 11.54am, he sent a further text message stating, *“Day three begins”*. This is the last communication received from Niels and there is no evidence of him being sighted after this time. He had planned to arrive back at Upper Jamieson Hut on 29 October 2019 and drive home the following day.
15. The weather in the Mount Buller area deteriorated significantly on 26 October 2019 with very high winds and freezing temperatures overnight.
16. On 1 November 2019 at around 1.15pm, Niels’s father contacted Victoria Police to report him missing as he had failed to return home as planned.

MISSING PERSONS INVESTIGATION

The police search

17. The Search and Rescue Squad of Victoria Police coordinated an extensive search for Niels which commenced on 1 November 2019 at around 4.20pm. The search involved the deployment of significant resources including the Search and Rescue Squad, local units, the Police Air Wing, the Mounted Squad, 4-wheel drive and motorbike units, the State Emergency Service and volunteers. A Command Post was established at Mansfield Police Station with a Forward Operating Base established at the Merrijig Hall. The focus of the search was the route planned by Niels but included surrounding areas (approximately 1600 square kilometres). Challenging conditions were experienced during the search.
18. On 1 November 2019, police located Niels’s vehicle near Upper Jamieson Hut. Nothing suspicious was identified. An inflatable sleeping mat, a sleeping bag and a bag of clothes were

³ Also known as Vellejo Gantner Memorial Hut.

located in the back of the vehicle. It is not known what additional sleeping gear Niels may have been carrying along his hike.

19. The logbooks for the huts along Niels's route were examined and it was noted that he had not signed in to any of them.
20. The search continued for nine days but no trace of Niels was found. On 8 November 2019, police obtained expert advice considering the relevant terrain and weather conditions which concluded that Niels's time frame for survival had expired. The search was suspended the following day.
21. On 28 February 2020, police spoke with Alexander Variy, an architect, who had been camping to the south of Niels' planned route on 25 October 2019. He recalled seeing a hiker in the morning in the distance who was "*rugged up*" and walking along the ridge towards Macalister Hut. He did not speak to the hiker.
22. In early December 2020, Victoria Police continued the search for Niels along his planned route with cadaver dogs from New South Wales Police. No trace of Niels was found.
23. An external review of the search by Victoria Police was conducted by Senior Sergeant Jim Whitehead of the Queensland Police Service. He concluded that a reasonable search was conducted in compliance with the National Search and Rescue Manual and no deficiencies were identified.

Proof of life checks

24. Victoria Police analysed the data from the telecommunications provider of the mobile phone being used by Niels and noted that there had been no activity after his last text message to his father in the morning on 26 October 2019. A review of Niels's his bank accounts also did not disclose any activity after his disappearance.
25. A media campaign was used to bring Niels's disappearance to public attention but there have been no reported sightings of him after he left Macalister's Hut on 26 October 2019.
26. Victoria Police did not identify any evidence of suspicious circumstances relating to Niels's disappearance and there is no evidence that he had been experiencing suicidal ideation.

FINDINGS AND CONCLUSION

27. I am satisfied that Niels is deceased. Further, I am satisfied that there are no further avenues of investigation reasonably open at this stage to elicit further evidence about the cause and circumstances of his death.
28. The evidence does not enable me to be satisfied as to the exact circumstances or cause of Niels's death. I am satisfied that at some stage on 26 October 2019, he has left the track upon which he was walking, after having departed Macalister Hut, whereupon he has become lost or injured and passed away from exposure to the elements. There is no evidence to support a finding that any third party was involved in Niels's death or that he may have taken his own life. Given the extreme weather conditions, it is likely that Niels would have been deceased by 31 October 2019.
29. Pursuant to section 67(1) of the Act, I make the following findings:
 - a) the identity of the deceased was Niels Gunther Becker, born 25 October 1980;
 - b) the death occurred between 26 and 31 October 2019 in bushland surrounding Mount Buller, Victoria, from unascertained causes; and
 - c) the death occurred in the circumstances described above.
30. It is acknowledged that the fact that Niels has not been found is very distressing for his family and they have not had an opportunity to have greater clarity in relation to the exact circumstances of his passing.

Pursuant to section 73(1B) of the Act, I order that this finding be published on the Coroners Court of Victoria website in accordance with the rules.

Pursuant to section 49(2) of the Act, I direct the Registrar of Births, Deaths and Marriages to amend the cause of death to the following “*1(a) Unascertained*”.

I direct that a copy of this finding be provided to the following:

Peer and Johanna Becker, Senior Next of Kin

Detective Senior Constable O'Neill, Coronial Investigator

Signature:



Coroner David Ryan

Date: 28 November 2025

NOTE: Under section 83 of the ***Coroners Act 2008*** ('the Act'), a person with sufficient interest in an investigation may appeal to the Trial Division of the Supreme Court against the findings of a coroner in respect of a death after an investigation. An appeal must be made within 6 months after the day on which the determination is made, unless the Supreme Court grants leave to appeal out of time under section 86 of the Act.
