

CERTIFICATE OF FINDINGS
Section 94, Coroners Act 2006

IN THE MATTER of Lynne FALK

The Secretary, Ministry of Justice, Wellington

As the Coroner conducting an 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 following a hearing held on the papers in chambers in accordance with section 77(2) of the said Act:

Full Name of deceased:	Lynne FALK
Late of:	569G Te Awaiti Road, Martinborough
Occupation:	Retired
Sex:	Female
Date of Birth:	20 November 1948
Place of Death:	Sandy Bay, Te Awaiti, Wellington
Date of Death:	29 April 2013
Causes of death - (a) Direct cause:	Death in water in the context of incapacity from natural disease (possibly cerebrovascular ischaemia from vertebrobasilar insufficiency related to long-standing cervical spondylosis or undefined functional cardiac disease)
(b) Antecedent cause (if known):	
(c) Underlying condition (if known):	
(d) Other significant conditions contributing to death, but not related to disease or condition causing it (if known):	

Circumstances of Death

- 1 Mrs Falk was very experienced in spear fishing and snorkelling, as she had done this regularly and for most of her life in the area of Te Awaiti. On 29 April 2013, Mrs Falk travelled with her husband Christopher to Sandy Bay at Te Awaiti, to go snorkelling. Mrs Falk was snorkelling approximately 20 metres from shore and her husband was another 30 m out from her. After approximately 20 minutes, Mr Falk discovered his wife lying on her back in knee-deep water. He pulled his wife onto a large rock and began chest compressions, but Mrs Falk could not be revived.

Investigation

- 2 A post-mortem examination of Mrs Falk has indicated that the cause of death was as set out above. A report provided by Environmental Science and Research Institute Limited (ESR) following an analysis of blood taken at autopsy records that no drugs of concern were detected in her blood.

- 3 The pathologist's report contains a hypothesis that, because of Mrs Falk's underlying condition of spondylosis of the cervical spine and the propensity of this condition to give rise to vertebrobasilar vascular insufficiency and the varying postures of the neck that would occur during snorkelling, there may have been kinking of the vertebral arteries resulting in impairment of the blood supply to the brain. It is the pathologist's opinion that Mrs Falk did not die from conventional "wet" drowning. He notes that "dry" drowning may occur in a minority of cases. This is a condition where people die in water but do not appear to inhale the water. The mode of dying appears to be some form of neuronal reflex where the larynx goes into spasm and does not permit water to enter the airways.
- 4 Christopher Falk informs police that Mrs Falk had lived in the area since she was two years of age, and was very experienced at snorkelling. She had undertaken a snorkel course with the dive shop in Masterton some years ago. On 29 April the conditions were perfect for snorkelling, and the two agreed to keep an eye on each other when they entered the water. He informs that Mrs Falk had a two-piece wetsuit on including a weight belt with four weights on it. He swam out approximately 50 m from the shore, while Mrs Falk stayed closer to the shore. After approximately 20 minutes in the water, Mr Falk headed back towards his wife. As he got closer he noticed that she was lying on her back in the water, almost on a large rock. He states that he could tell that she was dead.
- 5 Mr Falk immediately commenced CPR. After doing chest compressions for some time, he pulled his wife further up onto the rock then ran across farmland to raise the alarm. When emergency services arrived, it was apparent that Mrs Falk was deceased.
- 6 Mr Falk also informs police that his wife had a history of feeling dizzy and issues with her eyesight. He also suspected that she had suffered a stroke approximately 12 months ago, but hospital investigations established that it was not a stroke but something to do with a nerve in the back of her neck.
- 7 The Police Dive Squad investigated this death, and conclude that the equipment being worn by Mrs Falk at the time of her death was not a factor in her death. Although an excessive amount of weight can cause additional stress on snorkeller, the amount of weight on her weight belt was appropriate. In addition when she was found in the water, she was not wearing the weight belt. She had previously removed the weight belt and placed it on a rock several metres away. The report concludes that, in the absence of any equipment or environmental factors causing or contributing to this death, her health prior to the dive may have been a contributing factor.
- 8 The conclusion of the Dive Squad is supported by an opinion obtained from Professor Des Gorman, Associate Dean at the University of Auckland's Faculty of Medical and Health Sciences and Senior Consultant to Diving and Hyperbaric Medical Services. Professor Gorman accepts that the hypothesis put forward by the pathologist is certainly plausible, but he considers it an unlikely cause of Mrs Falk's death. He notes that, when Mrs Falk was found by her husband, she did not have her weight belt on and her dive mask was up on her forehead. This suggests to him that she was in some form of distress prior to her death, as compared to some sudden lethal event.

Conclusions


- 9 I am satisfied from the evidence before me that Mrs Falk died while snorkelling in the sea. The exact reason for her death is uncertain, but clearly appears to have been the result of a medical condition as opposed to simple drowning.

- 10 Lynne Falk died at Sandy Bay, Te Awaiti, Wellington, on 29 April 2013. The cause of death was death in water in the context of incapacity from natural disease (possibly cerebrovascular ischaemia from vertebrobasilar insufficiency related to long-standing cervical spondylosis or undefined functional cardiac disease).

My reasons for making those findings are as follows:

- 1 The investigation conducted by the Police, and the statements provided to me as part of that investigation, have established the matters set out above with regard to the identity and personal details of the deceased, and the circumstances of the death.
- 2 I have accepted the report provided to me from the Pathologist who performed a post-mortem examination of the deceased, as to the causes of death as set out above.
- 3 I have accepted the report provided to me from ESR as to the level of alcohol, drugs and medication found in the deceased at the time of death.
- 4 I have accepted the report provided to me from the Police Dive Squad has established the circumstances of the death as set out above.
- 5 The Police investigation into this death has concluded that no other person was involved in the death.

Signed at Hamilton on 16 January 2015


Coroner J.P. Ryan