

Understanding Auto Belay Misuse: Part 1

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Posted By: **Robert Angell** in [CWA Blog](#)



Procrastination can be deadly for a lawyer. Miss a deadline and you can lose a case, gain an angry client, and maybe get sued for malpractice. So we quickly unlearn the habit when we go to law school.

Article At A Glance

- **Writer:** Robert Angell, the CWA's General Counsel. Robert writes legal and claim-related articles for the CWA.
- **Who Should Read:** Decision makers in the indoor climbing industry and senior managers in indoor climbing gyms.
- **What Will You Learn:** The way to think about the mental side of climbing incidents resulting in injury related to auto belays, and how they're possible.
- **Tie-Ins, Resources, or Further Reading:** This ties in well with our contracted research paper from Prof. Jon Heshka [on indoor climbing gym user behavior](#).

There's one area, though, where lawyers can and do procrastinate – continuing legal education (CLE). An attorney in Ohio has built a nice side hustle by offering CLE sessions during the last three or four months of the year, when panicky lawyers are trying to get their hours before time runs out on them.

Some years ago, I was sitting in one of his sessions (yes, I also procrastinate on my CLE), listening to a presentation about errors in thinking and strategy by lawyers. As it happened, the climbing industry had sustained a fatal fall some months before when a climber forgot to clip in on an

auto belay. Everyone was wondering how a climber, experienced in using auto belays, could have made such a life-and-death mistake. The source material in this CLE was *Thinking, Fast and Slow* by Daniel Kahneman (Farrar, Strauss and Giroux, New York, 2011). Listening to the presentation, I suddenly realized why the climber had forgotten to clip in.

Kahneman postulated that we have two types of thinking, which he called System 1 and System 2.

System 1 is our “fast” thinking.

It is the system that comes into play when we take action without reflection. It is the system that immediately provides the answer when we see “ $2 + 2 = ___$.” It originated in our remote ancestors when they had to assess threats quickly. Imagine walking out of your cave and seeing a sabertooth tiger staring you down. There were two types of cavemen in this scenario: the quick and the dead.

System 2 is our “slow” thinking.

It is the reflective and analytical part of our thinking process. It is the system we have to use when we see “ $24 \times 17 = ___$.” You might be able to solve this in your head, but to do so requires you to perform intermediate arithmetic operations, keep track of them, and combine them to get the final answer. You can’t simply glance at this and know the answer, unless you are a wise guy who has practiced it and memorized the answer to impress people at parties.

The problem with System 2, in addition to being slower, is that it is lazy. It must be consciously activated to analyze and assess the quick decisions we make with System 1. Worse, System 2 may give bad advice to System 1. We all have certain biases and beliefs that we bring to our decision-making templates. Kahneman referred to these as *heuristics* – mental blueprints, if you will, that may be skewed by the “source code” that we bring to the thinking process.

Think now about a climber using an auto belay at a gym. The climber typically has experience in using auto belays and may have already climbed four or five, or eight times that very day. The climber goes back to the wall one last time with what Kahneman called an “availability heuristic” – the memory of all those recent successful climbs as well as all the other successful climbs observed that day.

System 1 tells the climber to place their hands and feet on the holds and proceed. The climber realizes they haven’t clipped in only when they are 20, 30, or 40 feet up the wall. They may be too tired or not proficient enough to climb down. Panic sets in, and disaster strikes.

Auto belays came on the scene touted as a game-changer. Indoor climbers no longer had to find a belay partner, and the belays themselves were thought to be virtually perfect. Just clip in and climb.

Ironically, the simplicity of the system has turned out to be its greatest hazard, because people may use it without the mental preparation that is

a must for manually belayed climbing. Even more ironically, the hazard actually increases as the climber's experience increases and the fear of leaving the floor decreases.

I presented these ideas in a "Thoughts on Thinking" workshop at the CWA Summit in 2014. One attendee chided me for a "boring psychology lecture." Fair enough – I am not a psychologist, and in that workshop and again here I have greatly simplified Kahneman's ideas. (And has anyone attended a psychology lecture that *wasn't* boring? Show of hands.)

But I think we can find knowledge wherever we look for it, and in any event the time may be right to take another look at fast and slow thinking in the climbing context. And, happily, Kahneman's book is not boring at all.

Thankfully, auto belay falls are rare in proportion to the number of climbs. However, in light of the proliferation of claims for failing to "orient" or "instruct" climbers in how to use an auto belay, and other intentional and unintentional chicanery, we need to make them rarer still.

In the second part of this article, I will discuss how we might teach climbers how to put System 2 to work to prevent falls and injuries, and manage our risks.

About The Author



Robert Angell is an Ohio- and Colorado-licensed attorney concentrating in the areas of administrative law, recreation, amusement, and entertainment law, and business formation. He served on the CWA Board of Directors from 2006 to 2013 and was reappointed to the Board in 2019. Bob has been instrumental in regulatory initiatives on behalf of CWA members across the U.S. since 2005. His clients include many gyms in Ohio and other states.



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