

RIGHTS AND OBLIGATIONS OF PERSON TO BE HEARD

The purpose of an investigation carried out by the Safety Investigation Authority is to improve safety. Investigations are not conducted to allocate legal liability.

On the basis of the Safety Investigation Act (Act no. 525 of 2011), an investigation may involve hearing the following: people that were in an accident or dangerous situation, experts, or other people who can be expected to provide necessary information.

The person to be heard may be accompanied by an assistant or lawyer. Children or other legally incompetent persons must be accompanied by their guardian, custodian or other legal representative. The assistant may not answer on behalf of the person to be heard, but may bring up issues he/she considers important.

Hearings are usually conducted in Finnish or Swedish, but the person to be heard may also request that another, more suitable language be used. If necessary, an interpreter will be used.

The hearing will be recorded. Such recordings are confidential, but information contained in them may be entered in a public investigation report.

The person to be heard is requested to tell things truthfully and honestly.

The Safety Investigation Authority may submit information learned in the hearing to pre-trial investigators and prosecuting authorities if the person is suspected of a serious offence the maximum punishment of which is at least two years' imprisonment. However, if the information has been mostly obtained from a person who is a witness in a pre-trial investigation or trial and is obliged or entitled to decline to testify about the same matter, no information may be submitted without the consent of the person being heard.

The person being heard has the right to be reasonably compensated for travel expenses and loss of income and any financial loss caused by the hearing.