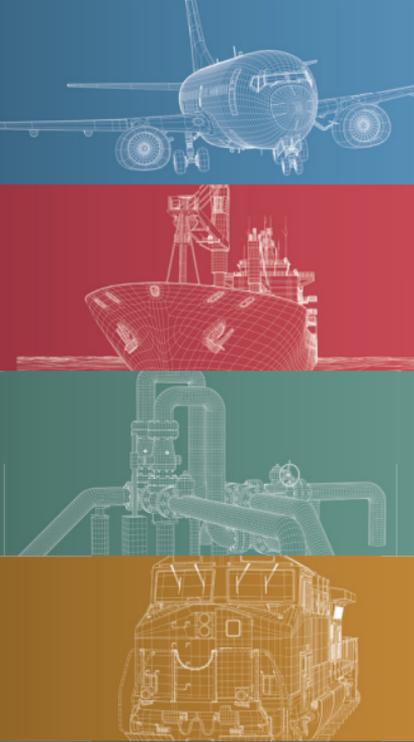




Transportation
Safety Board
of Canada

Bureau de la sécurité
des transports
du Canada



PREPARING FOR A
**Transportation Safety
Board of Canada
interview**

Canada[!]

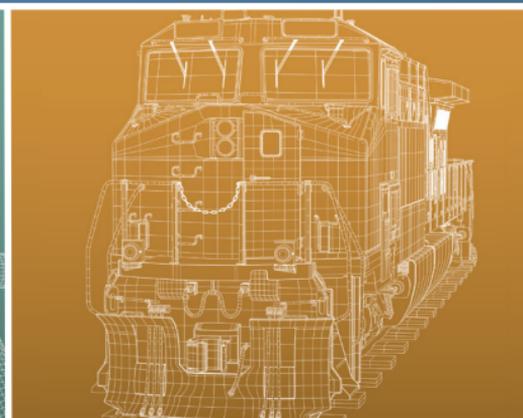
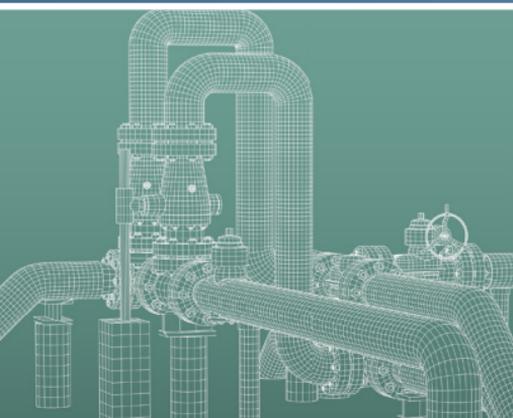


The purpose of this document is to help you, the interviewee, prepare for a Transportation Safety Board of Canada (TSB) interview. It describes why and how the TSB conducts interviews, your rights as an interviewee, and how the TSB protects the information you provide.

The TSB understands that you may not have been interviewed by the TSB or any other organization before.

If you have any questions or concerns about the interview, it is important that you contact the person at the TSB who asked you for the interview so that your concerns can be addressed in advance.

The TSB thanks you in advance for the information you will provide in your upcoming interview. It will help improve the safety of the transportation system for all Canadians.



The mandate of the TSB

The TSB's mandate is to advance safety in air, marine, pipeline, and rail transportation by

- conducting independent investigations into selected transportation occurrences, in order to make findings regarding their causes and contributing factors;
- identifying safety deficiencies;
- making recommendations designed to eliminate or reduce such safety deficiencies; and
- reporting publicly on our investigations and findings.

Note that the TSB does not assign fault, or determine civil or criminal liability. Instead, the TSB aims to understand the aspects of the transportation system that lead to the decisions made on the day of the occurrence, so that efforts can be made to prevent them from happening again.

About TSB interviews

Under the provisions of the *Canadian Transportation Accident Investigation and Safety Board Act* (the CTAISB Act), TSB investigators can interview any person who has information relevant to the investigation of a transportation occurrence. The TSB conducts these interviews to gather information as well as to understand the operations of the company. Our investigators want to understand what the people involved in the occurrence may have seen or heard before and during the accident. To minimize influences on memory recall, TSB investigators prefer to interview witnesses as soon as possible after an occurrence, and before they are interviewed by other agencies.

Please inform the TSB if another agency has asked you for an interview.





How the TSB conducts interviews

Interviews are conducted in a way that encourages you to contribute to safety by providing as many details as you can recall. The investigator works with you to create an atmosphere in which you are best able to provide information, including being interviewed in the official language (English or French) of your choice. The TSB often uses the style of cognitive interviewing—a scientific method that is proven to aid in the recall of traumatic events. You may be asked to close your eyes or take deep breaths. This is all to assist recall.

Investigators interview people individually—the crew of an aircraft, ship, or train, for example—in order to obtain the most accurate information possible and avoid interviewees' memories of the event being unintentionally influenced by other people or their perceptions. However, the TSB does exercise its discretion on a case-by-case basis if a different approach is necessary.

The stages of the interview

The investigator will first explain the overall interview process. This is a good time for you to ask any questions that you still have about the interview. Then the interview usually starts with some questions about your job and training, followed by questions about what you witnessed or about your understanding of company operations relevant to the occurrence. The investigator may ask follow-up questions to fully understand your point of view, including questions about possible underlying factors in the occurrence. You may also be asked about your medical and sleep histories. The investigator will also ask if you are aware of any other information relevant to the investigation.

Recording

To ensure the integrity of the investigation, the investigator records interviews. He or she may also take handwritten notes.

A recorded interview benefits the investigator and interviewee: It allows the investigator to focus on what the interviewee is saying, and creates an accurate record of what was discussed, one to which both can later refer. As per the CTAISB Act, all interviews—including records of interviews and the identity of the interviewees—are privileged. The TSB has the exclusive right to record an interview. No additional recording or notes may be taken out of the interview by the interviewee nor by their accompanying person.

The TSB will provide you with an electronic copy of the recording at your written request.

Confidentiality

To enable you to speak freely with the investigator in the interest of transportation safety, your interview statement is protected and will not be released outside of the TSB.

Under the CTAISB Act, all interviews—including records of interviews and the identity of the interviewees—are privileged and will not be shared with anyone outside the TSB except if the interviewee consents to it. The CTAISB Act also protects statements from being used in any disciplinary or other hearings, except as provided by the CTAISB Act. In addition, anyone attending an interview cannot communicate or share the statement without **written consent of the interviewee**.

The TSB opposes requests for the release of any statement without the consent from the interviewee. However, a court or a coroner may order the release of a witness statement if it concludes that the proper administration of justice outweighs an individual's privilege.



Attendance

Interviews are held *"in camera"* (in private, not open to the public). Only the following persons are permitted to attend an interview:

- the TSB investigator(s);
- any expert requested by the investigator to attend (e.g., technical, interpreter);
- the interviewee; and
- one accompanying person, chosen by the interviewee.

The accompanying person

You may invite a person of your choice to accompany you during the interview. Interview questions must be answered by you and not by the accompanying person.

The accompanying person must not be in a situation of actual or potential conflict of interest or be someone who has been or will be interviewed by the TSB.

You and the accompanying person should be aware that:

- the interviewee's statement is privileged and cannot be communicated to others without the written authorization of the interviewee; and
- the investigator may exclude an accompanying person from the interview if their interventions or behaviour interferes with the proper conduct of the interview.



For more information

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