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Editorial: Domestic violence is not a private matter

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Police and fire crews investigate a house fire in Cordova Bay on April 21. Photograph By ADRIAN LAM, Times Colonist

Police are frequently involved in matters where it is in the overall good to keep some details private. In a case such as a murder-suicide, however, the public's well-being and need to know should come before rights to privacy of the deceased persons.

The family of the woman found dead in a Cordova Bay home last week told the Times Colonist that a coroner's report stated Julie Khurana was killed by her husband, Peter Khurana, who then set fire to the house and hanged himself.

Saanich police and the Vancouver Island Integrated Major Crime Unit will not confirm the information from the coroner's report, saying that because no criminal charges have been laid, privacy rights of the dead couple prevailed.

B.C. has legislation to protect privacy, but it generally applies to living people, and even the privacy rights of a living person depend on circumstances.

"The nature and degree of privacy to which a person is entitled in a situation or in relation to a matter is that which is reasonable in the circumstances, giving due regard to the lawful interests of others," says the B.C. Privacy Act.

While it is appropriate to consider the welfare of survivors and family members regarding how much detail is made public, a section of the Privacy Act strongly indicates that the right to privacy ends at death.

"An action or right of action for a violation of privacy ... is extinguished by the death of the person whose privacy is

alleged to have been violated,” says the legislation.

A crime — especially a homicide — is a public concern. Domestic violence is a major societal issue, not a private matter between, say, a husband and wife.

Julie Khurana’s relatives cite signs, incidents and legal proceedings that outline Peter Khurana’s history of violence against women and particularly against his wife. If Peter Khurana had killed someone while robbing a bank and then killed himself, would police decline to release details because of privacy rights? Not likely. Why should domestic violence be regarded differently?

Mary Ellen Turpel-Lafond, B.C.’s representative for children and youth, says the public deserves a higher level of accountability to prevent similar violence.

“I’m very concerned about the cloak of secrecy around these domestic-violence cases,” she said. “To say that it’s a private matter is exactly what’s wrong in domestic violence. These are not private matters. This is an issue of public safety for vulnerable citizens, particularly women.”

“Staying silent about domestic violence, which has historically thrived in that sort of silence, isn’t serving anyone,” says Tracy Porteous, executive director of Ending Violence B.C. “If we keep these things hidden, nothing changes.”

Sometimes police withhold information that would jeopardize an investigation should it be made public. Sometimes details are kept from the public to protect the innocent, such as in crimes like sexual assault. Those are reasonable measures.

But we seem to be defaulting to a culture of secrecy, when the default should be a culture of openness. The first consideration should be to make public those things that should be made public, and keep them confidential only when it is proved to be for the greater good.

To Julie Khurana and Peter Khurana, the details leading up to their deaths are now irrelevant, but those details matter very much to many people still living.

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