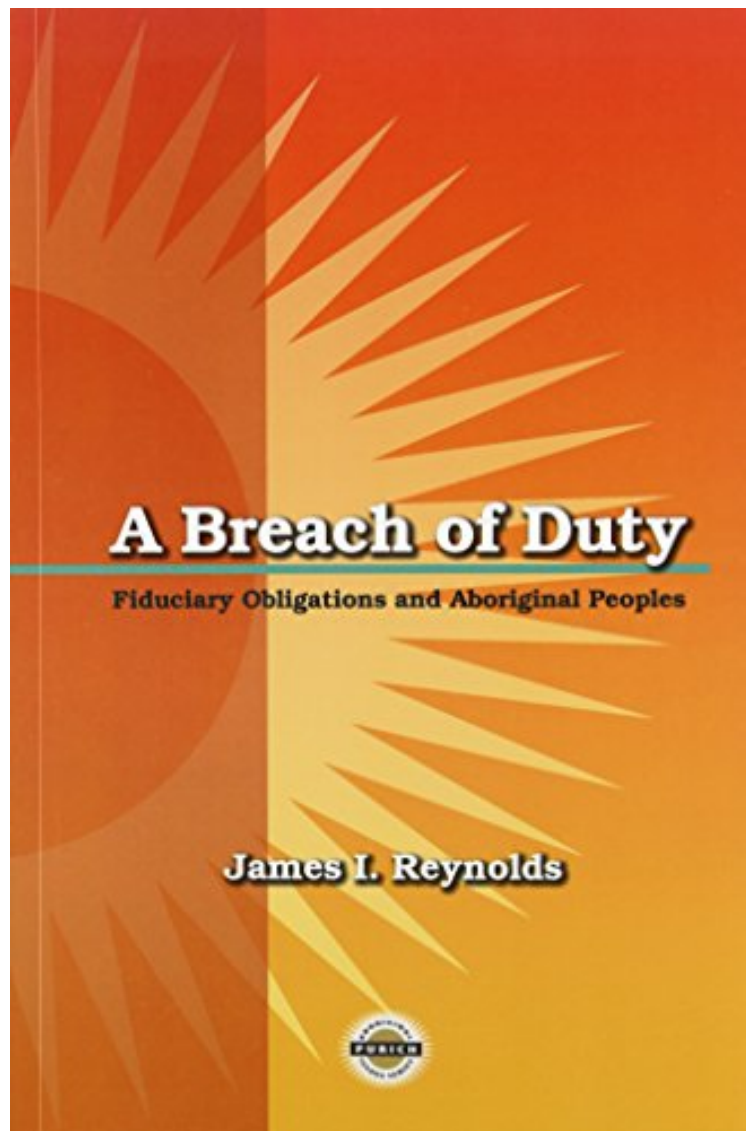


[Download] A Breach of Duty: Fiduciary Obligations and Aboriginal Peoples (Purich's Aboriginal Issues Series)

A Breach of Duty: Fiduciary Obligations and Aboriginal Peoples (Purich's Aboriginal Issues Series)

James Reynolds

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James Reynolds : A Breach of Duty: Fiduciary Obligations and Aboriginal Peoples (Purich's Aboriginal Issues Series) before purchasing it in order to gage whether or not it would be worth my time, and all praised A Breach of Duty: Fiduciary Obligations and Aboriginal Peoples (Purich's Aboriginal Issues Series):

0 of 0 people found the following review helpful. A Victory for Aboriginal PeoplesBy HyleaThis book tells the story

of how a small Indian Band in Vancouver, Canada sued to recover compensation for the lease of one third of its small reserve to an exclusive golf club on terms to which it did not agree. The case went to the Supreme Court of Canada and resulted in major changes in the law that benefitted all Aboriginal peoples in Canada. The book describes those changes and compares the law in Australia, New Zealand and the United States. The author was one of the lawyers for the Band and describes what was involved to achieve justice for the Band.

In the 1950s, Indian Affairs concealed the lease terms of more than one-third of the Musqueams reserve land to the Shaughnessy Heights Golf Club in Vancouver, BC. Justice for the Musqueam was finally achieved in 1984 with the release of *Guerin v. the Queen*, where the Supreme Court of Canada confirmed that Canada has a duty to act in the best interests of Aboriginal peoples. This book tells the story of the government's breach of that duty, the impact of the Court's decision on the development of Aboriginal law and the law of fiduciary obligations, discussion of recent decisions in *Haida* and *Taku River*, and a comparison to laws in the United States, Australia, and New Zealand.

The legal battle of *Guerin v. The Queen* is one of the top three or four cases that have advanced Aboriginal rights in Canada in the 20th century. (Beverly Cramp BC BookWorld 2005-09-01)...a fascinating book about a landmark case on Aboriginal rights. (Stephen Hume The Vancouver Sun 2004-10-27)In the landmark decision of *Guerin v. the Queen* in 1984, the Supreme Court of Canada confirmed that Canada has a duty to act in the best interests of Aboriginal peoples. This book tells the story of the federal government's breach of that duty toward the Musqueam people, their twenty-six year quest for justice, and the impact of the Court's decision on the development of Aboriginal law and the law of fiduciary obligations. In the 1950s, Indian Affairs concealed the terms of a lease negotiated on behalf of the Musqueam of over one-third of their small reserve to the Shaughnessy Heights Golf Club in Vancouver, BC. The lease contained terms that had not been accepted by the Band members and locked the Band into low rental income for 75 years. It was only because of the diligence and tenacity of the Musqueam that justice was finally achieved in 1984 with the release of *Guerin v. the Queen*. Against this background, the author discusses what fiduciary obligations are, unresolved issues regarding such obligations, and issues to consider in advancing or defending breach of fiduciary obligation claims. His thorough discussion includes the November 2004 Supreme Court of Canada decisions in *Haida* and *Taku River*. He also compares Canadian law with that of the United States, Australia, and New Zealand. A significant contribution to our understanding of the Crown's fiduciary obligations and a very useful resource. (Professor Kent McNeil Osgoode Hall Law School)About the AuthorJames I. Reynolds has practised Aboriginal law for over twenty-five years, and was one of the lawyers for the Musqueam on the *Guerin* case.