

This recommendation has not been incorporated into Bill C-83.

Under existing legislation, any criminal court can hear a 'dangerous sexual offender' application. Bill C-83 makes it likely that the same court which convicted the defendant will hear the application. This means that the lowest standing court can make a decision as serious as this one. The subject should have the right to a hearing before a superior, county or district court.

The Committee on Corrections recommended that the offender be given "suitable notice that it is alleged he is a dangerous offender".<sup>25</sup> Bill C-83, like the existing legislation, provides only seven days' notice. This is obviously inadequate. One does not have time even to consult a lawyer from prison within that time, let alone allow the lawyer time to prepare the case.

One month's notice is the bare minimum that should be provided.

In practice, not even the required seven days' notice has always been given. In the case of *Regina v. Bolduc*<sup>26</sup>, there was no notice and no seven days' delay. (There was also no opportunity to contradict the testimony of the psychiatrist or to introduce