

Authority:

Commission d'accès à l'information du Québec

Country/State:

Canada – Quebec

Case title:

Access to Child's Health and Social Services Information – Lawyer as Representative

Official citation:

2025 QCCAI 79

Date of decision:

2025

Relevant law:

Act respecting health and social services information (AHSSS), section 21

Act Respecting Access to Documents Held by Public Bodies and the Protection of Personal Information

Decision:

The Commission granted the lawyer of a minor under 14 years of age access to the child's health and social services information contained in follow-up and activity notes, on the basis that he was acting as the child's legal representative in proceedings before the Court of Quebec.

Key words:

Right to Information, access to health records, minors, legal representation, personal information

Case Summary**1. Facts**

The applicant, a lawyer, sought access to the health and social services records (follow-up and activity notes) of his client, a minor under 14 years old.

The health institution refused to provide access.

The case was brought before the Commission to determine whether the lawyer could obtain this information in his capacity as the child's legal representative.

2. Decision

The Commission found that under section 21 of the Act respecting health and social services information (AHSSS), a lawyer acting on behalf of a child in judicial proceedings has the right to access the child's health and social services information.

Evidence showed the lawyer was representing the child in proceedings initiated by the Director of Youth Protection before the Court of Quebec.

The application for review was therefore granted, and the institution was ordered to disclose the records, subject to any restrictions under the AHSSS.

Note (Optional):

This case reinforces the principle that minors, through their legal representatives, are entitled to access health and social services information, balancing the right to information with privacy protections in youth protection proceedings.

Resource:

Decision 2025 [2025qccai79.pdf](#)

Access to Health Records of a Minor – Lawyer as Legal Representative