



REPORT OF  
MAURICE HERAUF, K.C  
SASKATCHEWAN CONFLICT OF INTEREST COMMISSIONER

**RE: Aleana Young  
Member for Regina South Albert**

REGINA, SASKATCHEWAN  
March 17, 2025

# Opinion of the Conflict of Interest Commissioner for Saskatchewan

## In the matter of the Member for Regina University, Aleana Young

### I. INTRODUCTION

On September 24, 2024, I received a written request from the Honourable Mr. Jeremy Reiter, Member for Rosetown-Elrose, seeking my opinion respecting whether the Member for Regina University, Aleana Young,<sup>1</sup> had contravened s. 15 of *The Members' Conflict of Interest Act*, SS 1998, c M-11.11 [*Act*]. Mr. Reiter articulated his allegations against Ms. Young in that letter as follows:

The Member is the sole shareholder, director, and manager of Takeaway Gourmet TGM Inc. (the "Company"). I have reasonable and probable grounds to believe that the Member has clearly and continually violated the Act by:

- (a) Repeatedly using her MLA social media accounts to promote the Company, its products, and raise brand awareness. The Member has expensed costs relating to her social media accounts to the Legislative Assembly.
- (b) Embedding her MLA social media posts about the Company onto her MLA website which is also paid for by the Legislative Assembly.
- (c) Using the resources of the Company to complete her duties as an MLA.
- (d) Using her MLA access to the media to promote the Company's interests.

These actions clearly violate section 5 of the Act which states:

A member shall not use his or her office to seek to influence a decision made by another person to further the member's private interest, his or her family's private interest or the private interest of an associate

After providing Ms. Young with an opportunity to make submissions on this request and Mr. Reiter with an opportunity to respond to those submissions, I advised Mr. Reiter and Ms. Young on November 5, 2024, that Mr. Reiter had satisfied the s. 29 threshold requirement of having "reasonable and probable grounds" to believe that Ms. Young is in contravention of s. 5 of the *Act*. I also advised Mr. Reiter and Ms. Young that I would be conducting an inquiry pursuant to s. 30(1) of the *Act* in order to prepare my opinion pursuant to s. 29(1).

### II. EXECUTIVE SUMMARY

For the reasons below, it is my opinion that Ms. Young has not committed the breaches of the *Act* alleged by Mr. Reiter.

Section 5 of the *Act* is breached where a Member uses their office to promote private interests. The first element that must be established for this breach to arise is that the Member must have

---

<sup>1</sup> At that time, Ms. Young was the Member for Regina University. She is now the Member for Regina South Albert.

attempted to influence another person's decision. I have considered the evidence before me and am not satisfied that this element exists here. While Ms. Young's social media posts and stories depicting the Company and its products, prices and hours come close to the line, I accept her evidence that she was not intending to influence anyone in favour of the Company through these posts and stories. I accept Ms. Young's testimony that she was trying to share her life with her constituents on social media.

Accordingly, I conclude that Ms. Young has not breached this provision, and I am therefore satisfied that Ms. Young has not contravened the *Act*.

### **III. JURISDICTION**

Mr. Reiter's request for my opinion was pursuant to section 29 of the *Act*, which reads as follows:

#### **Referral of opinion**

**29(1)** A member who has reasonable and probable grounds to believe that another member is in contravention of this Act may request, by application in writing setting out the grounds for the belief and the nature of the contravention alleged, that the commissioner give an opinion respecting the compliance of the other member with the provisions of this Act.

My mandate under s. 29 of the *Act* is focused on whether Ms. Young is in contravention of the *Act*. More specifically, given the allegations advanced in Mr. Reiter's s. 29(1) request, this opinion is focused solely on whether Ms. Young contravened s. 5 of the *Act*. I have no jurisdiction to rule on matters such as the propriety of expenses claimed in carrying out this mandate.

### **IV. INVESTIGATION**

To prepare my opinion I interviewed, or caused to be interviewed, all persons who I determined might have any relevant information regarding the issues raised and I secured from them copies of all relevant documents. I also provided a summary of this investigation to Ms. Young and provided her with an opportunity to provide comments and/or additional documents.

### **V. FACTS**

As a result of my investigation, I have determined the following relevant facts.

#### **A. General Background**

Ms. Young was the Member for Regina University and now is the member for Regina South Albert. She was first elected to that position in October 2020 and was re-elected on October 28, 2024.

Ms. Young previously worked as a Public School Board Trustee from 2012 until her election, and worked for Elections Saskatchewan, Petroleum Technology Research Council and City of Regina. Ms. Young holds a Bachelor of Arts and has a Masters in Early Christian History from McGill.

## **B. The Company**

Takeaway Gourmet TGM Inc. (the “**Company**”) is a gourmet cheese store located at 2118 Robinson Street in Regina, Saskatchewan. The Company was incorporated in May 2017 and opened in July 2017. Ms. Young and her husband are the directors of the corporation.

Prior to her election, Ms. Young was at the Company store working all day every day. Now, Ms. Young’s day-to-day involvement is limited but varies throughout the year. For example, the holiday season is very busy, and she will be there in person if she can be. Otherwise, she goes in for an hour or two per week for ordering, scheduling and payroll. Ms. Young earns a negligible income from the Company, and it is not her primary income source.

There is shared responsibility for the Company’s marketing. Ms. Young does have access to the Company’s social media and can make posts, but it is almost exclusively staff who post. Staff are expected to post on Instagram and Facebook two to five times a day.

## **C. Ms. Young’s General Use of Social Media**

Ms. Young used social media prior to becoming a Member. She has had Facebook since 2004, Instagram since 2013 and Twitter since 2012. Ms. Young briefly had a TikTok account but ceased using that account when the Government decided elected officials should not have the app.

Ms. Young originally created her Twitter account as a personal account. She used it to try to build a network, make connections and provide commentary. This is consistent with how she uses it today, albeit with more politics.

Ms. Young has a personal Facebook account, and a Facebook page as a politician. The Facebook page is public and had been previously used for her food blog.

Ms. Young uses Instagram for her day-to-day life and Twitter for news. Ms. Young uses her Instagram more frequently than her Facebook, and her Instagram stories are automatically shared on her Facebook page. Ms. Young uses stories on Instagram more frequently, and will share anything she was tagged in, considering this a form of engagement. Ms. Young has not claimed any expenses as a Member in relation to these accounts, though she has used photos paid for as a Member for other purposes on those accounts.

Ms. Young also has a website as a Member, this being “aleana.ca”. This website is paid for by Legislative Assembly Services. This website was created in approximately 2023 using a local company that has created websites for Members from both parties. Prior to when Ms. Young received Mr. Reiter’s September 24, 2024, letter, her Twitter, Facebook and Instagram posts were embedded to and shared on this website.

Ms. Young has used social media to document her life and as a Member. Ms. Young uses social media to get out messages relevant to causes, to document meetings, to showcase work she does in the community and to showcase her life inside and outside the Legislature. Ms. Young wants to be accessible, real and authentic as a Member to her constituents. She uses her social media as a tool and considers it a good way to maintain the connection with her constituents and to show that she is a real person (including being a mother).

#### **D. The Specific Posts**

Mr. Reiter provided a number of social media posts to support his s. 29 request. Those posts and Ms. Young's response to them can be summarized as follows:

1. Exhibit 1: This is a February 18, 2021, Twitter post where Ms. Young stated that her "staff made a charcuterie bouquet", that it was a bouquet of meat and cheese and "Yes, you should pay your staff more than this government's shameful poverty minimum wages". Ms. Young stated that this was a Twitter post that was a "drive-by smear" at the government. She is proud of paying her staff well and this is something she has posted about continuously and has been a supporter of for a long time.
2. Exhibit 2: This is a March 19, 2021, Instagram story reposting from the Company's Instagram story. The original post has the Company's hours and refers to "Dance Fridays", and Ms. Young's repost added that "Takeaway has only bloomed in my absence". Ms. Young indicated that she does not know when this story was because it is undated, and she does not actively remember posting it. She thinks it was a video of an employee dancing. Her staff would celebrate the start of the weekend by playing dance music ("Dance Fridays") early in her days as a Member. She was tagged in their post on the Company's social media and reshared it.
3. Exhibit 3: This is an April 3, 2021, twitter exchange. In the first exchange, an individual tweeted "It's Easter long weekend and variants are roaming the streets. Do you know where your MLA is?". Ms. Young replied stating "Working at ye old cheese shoppe, cleaning and snuggling my bébé before I transition to in-person work". Ms. Young states this was a reply, but she does not recall what she was replying to. She is proud of how hard she works and wanted to share that.
4. Exhibit 4: This is an April 14, 2021, Twitter post showing Ms. Young working at the Company, where Ms. Young wrote: "Four years ago today, I nervously left my sane, salaried, benefit-ed job to open a strange little [cheese emoji] shop". She thanked the "amazing people in YQR who encouraged me to pursue entrepreneurship". Ms. Young indicated she is proud of being a small business owner. Making it through the pandemic was a challenging time for small businesses and there was a push to support them, and she never thought of this tweet as problematic.
5. Exhibit 5: This is a June 19, 2021, Twitter post where Ms. Young wrote: "Spent the early morning making charcuterie trays and dancing with my staff to Whitney. Small biz fills up my cup". She had a picture of herself, as well as a photo showing cheese and meat. One reply on this post indicated there was cheese the person would like to reply and Ms. Young responded: "Let's talk cheeeeeeeze and BBQ". Ms. Young indicated that this was a post reflecting her pride in being able to balance elected life, being a small business owner and a mother and that she does not know the individual who responded.
6. Exhibit 6: This is a July 10, 2021, Twitter post where Ms. Young indicated that she has sold cheese to both Andrew Scheer and Jagmeet Singh and that "Good cheese knows no party lines!". Ms. Young stated that since the tweet being responded to was deleted, she does not know what was being discussed but she has sold cheese to "everyone".
7. Exhibit 7: This is a August 26, 2021 Twitter post of cheese and meat platters with the caption "moments of serenity". Ms. Young indicated this was a Twitter post where she was sharing what she was doing.

8. Exhibit 8: This is a September 3, 2021, Twitter post captioned “Get an elected official who can do both”, with two photos. In the first, Ms. Young is shown masked outside the Legislative Assembly; in the second, Ms. Young is handling food products unmasked at the Company store. Ms. Young stated this was a Twitter post during the pandemic showing her being multifaceted and that this is a nice way of building relationships with people.
9. Exhibit 9: This is an October 9, 2021, Twitter post showing Ms. Young at the Company store with the caption: “Spent the early morning hours and a bit more making charcuterie boards for those lucky enough to be spending time together at Thanksgiving. I’m so thankful for my staff and customers who bring such joy to my life and help me recharge”. Ms. Young stated this was a Twitter post about a holiday weekend making charcuterie boards.
10. Exhibit 10: This is a December 31, 2021, Twitter post of a meat and cheese plate that does not identify or refer to the Company. Ms. Young acknowledged that while the post did not identify the Company’s premises, the photo was taken at the premises.
11. Exhibit 11: This is a January 22, 2022, Twitter post where Ms. Young shared a TikTok video from the Company’s account to her Twitter. The TikTok video was of her staff curling at the Company’s storefront. She wrote: “Ye olde cheese shop is peak Saskatchewan today. We’ve got a pretty great team this season”. Ms. Young stated that her staff had made a curling rink, and she thought it was funny and delightful and shared it on social media.
12. Exhibits 12 and 13: These are two March 9, 2022, Instagram stories with cheese and meat trays as backgrounds. In the first, Ms. Young was asked when the Company was expanding to Saskatoon and she responded, “Saskatoon, what do you think?!” In the second, she was asked whether the Company was looking for a new bigger home and Ms. Young responded: “We love our current home, we also need more space, but we also don’t want to move? Hell.” Ms. Young stated that these were Instagram stories where she was doing an “ask me anything”, that she likely received 20 questions, and she responded to all of the questions she received.
14. Exhibit 14: This is a May 28, 2022, Twitter post where the Member posted a picture of herself and wrote “Cheese lady Saturdays @CVAF\_Regina Do I have meat and cheese in a cup? Yes. Yes, I do.” Ms. Young also replied to a question from an individual who asked, “how about a stick” and Ms. Young responded that “We’ve got sticks and skewers and boards!” Ms. Young indicated that “CVAF” was the Cathedral Village Arts Festival. The Company did meat and cheese in a cup, and that was what she had been doing that day in her personal capacity.
15. Exhibit 15: This is a June 8, 2022, Facebook post where Ms. Young posted a photo showing students receiving gift bags with the Company logo. This was then reposted on June 25, 2022, with a new caption: “I had a pretty pretty fun time last week when I got to present to [a grade 11 class] from Scott Collegiate and making them eat strange and glorious cheeses it was even better when I saw the students at Indigenous People’s Day and they yelled “it’s the cheese politics lady!!!” Ms. Young stated that Scott Collegiate’s entrepreneurship class does work placements for their students and the Company was one of the businesses that took students. A teacher brought his students through a few times, and they would tour the business, try cheeses and ask questions about being a business owner and about being a Member.

16. Exhibit 16: This is a August 4, 2022 Instagram story where Ms. Young reposted from the Company's Instagram, with the post being a photo of her holding products from the Company. On the repost, Ms. Young wrote "Small biz OG" and "Bang bandit". Ms. Young indicated this was a repost from the Company's social media and was a throwback post.
17. Exhibit 17: These are August 6, 2022, Instagram stories where Ms. Young reposted from other individuals. One of those individuals wrote: "You think I'm busy? Try running an election campaign pregnant, then have a baby the day before you win the provincial election, continue running a retail shop with ethical labour practices & lived values, represent a Sask riding with 8,000 people, walk with dozens of social justice groups, run a busy household with a toddler + aging parents, and still show up in DMs for other biz owners". Ms. Young stated that she was resharing these posts from other people who were celebrating and saying nice things. She indicated this is a form of engagement.
18. Exhibit 18: This is a Facebook post and a Twitter post where Ms. Young wrote "Happy five years in business to meeee [cheese emoji]" and tagged the Company. Ms. Young stated these were posts about the Company's 5-year anniversary.
19. Exhibit 19: This is a November 12, 2022, Instagram story where Ms. Young shared the Company's post of a "savory butter board" for \$25. Ms. Young stated that this was a reshare of an Instagram post from the Company and showed a nice cheese board.
20. Exhibits 20 – 22: These are Instagram stories from November 22, 2022, sharing posts from the Company's Instagram and included photos of products and prices. Ms. Young stated that where posts were shared with no commentary, she thinks some were shared or reshared on her personal social media accidentally. She explained that she switched between the two accounts and sometimes got a post on the wrong account. She indicated these posts would not be up for very long and typically be removed "quite quickly". Ms. Young indicated that this is what she believed happened for each of Exhibits 20, 21 and 22.
23. Exhibit 23: This is a December 20, 2022, post where Ms. Young wrote: "Today, I made 18 charcuterie boards, 6 gift boxes, with heroism from my team – put away 300 kg of cheese in -35 below, frantically brushed my hair, and stood up for affordability, reliability, and transparency for SaskPower customers and workers. It's about balance". Someone responded and asked, "where is your cheese shop", with no reply. Ms. Young stated she had been providing an overview of her day because she was proud of what she was doing and not because she was trying to promote the cheese store.
24. Exhibit 24: This is a December 28, 2022, post where the original poster referred to making a cheese board with ingredients from the Company and another business and trying to "replicate the artistry of cheese queen @aleanayoung". Ms. Young posted that on her Instagram story with "Yum!". Ms. Young indicated she reshared this because she had been tagged.
25. Exhibit 25: This is a July 19, 2023, Instagram story reposting from the Company's Instagram. Ms. Young stated she believed this had been cross posted accidentally.
26. Exhibit 26: This is a July 20, 2023, post where Ms. Young shared a photo of cheese and wrote "Also this cheese CC @takeawaygourmetyqr". Ms. Young stated that she took cheese from the Company to her cabin that day along with other items and that is why she said, "also this cheese".
27. Exhibit 27: This is a July 25, 2023, series of Instagram stories. Ms. Young stated she was reposting about the Company's 6-year anniversary.

28. Exhibit 28: This is an October 31, 2023, Instagram story where Ms. Young shared the Company's Halloween post and wrote "My sweet bbs [pumpkin emoji] [crossbones emoji]". Ms. Young stated she had reshared a post from the Company's social media showing staff dressing up for Halloween.
29. Exhibit 29: This is a December 13, 2023, Instagram story where Ms. Young shared the Company's post and wrote: "I'm about to disappear into the holiday mist, to become the holiday cheese goblin this city needs. See you at the cheese store!". Ms. Young stated that this was another Instagram story about being at the store on the day-to-day. She explained that this was aimed at showing who she is as a person and being accountable about what she is doing with her time, including being at the store. She stated that she has never used her social media to incentivize people to go to the Company store and has a whole different social media account for that.
30. Exhibit 30: This is a December 18, 2023, Instagram post where Ms. Young had a photo of herself and her child at the Company store and wrote: "It's six days until Christmas! Young and very young, the entire Takeaway team is ready to help make your holidays memorable and delicious". Ms. Young stated that she had worked a long day with her toddler and had reposted the photo.
31. Exhibit 31: This is a December 18, 2023, Twitter exchange where an individual responded to the above posted and asked why they were just hearing about this cheese store, another individual indicated they have different samples to taste for free at noon each day and Ms. Young responded that "We love our free samples. Gotta try before you buy!" Ms. Young advised that the Company does not have designated hours for providing free samples and instead always makes free samples available. Ms. Young also advised that she does not know these people and was only responding to the chain.
32. Exhibit 32: This is a December 19, 2023, Instagram story where Ms. Young reshared another person's post of "girl dinner at the salon" that tagged her and the Company and showed cheese on a plate.
33. Exhibit 33: This is a December 19, 2023, post where Ms. Young shared a photo of herself outside the Company and wrote: "As of 4:30 today, I will have made it through another holiday season @takeawayyqr" and thanked her team and her family. Ms. Young stated that this reflected a genuine sentiment because making it through the holidays was something she was very proud of.
34. Exhibit 34: This is a February 14, 2024, Instagram story where Ms. Young shared pictures of a cheese tray and wrote: "The Real Sask Advantage: When you order a cheese tray on a holiday, it's almost certainly been feverishly made at 7 am by an elected official". Ms. Young stated she was trying to show herself as accessible and hardworking, and that this post put those together because it showed her as working on a weekend for her small business.
35. Exhibit 35: This is a February 27, 2024, post where Ms. Young posted a picture of a jar of seasoning and wrote: "I rarely cheese store cross post, but I put this on popcorn last night and [heart eyes emoji]". Ms. Young stated that she was sharing a popcorn seasoning she liked.
36. Exhibit 36: This is an April 25, 2024, post where Ms. Young shared a post from the Company's social media of a cheese board on her Instagram story and wrote "My cheeselings are so talented". Ms. Young indicated she was proud of her staff for the



- beautiful cheese board so shared the Company's post. She noted that the post on the Company's social media listed the price, but hers did not.
37. Exhibit 37: This is a copy of Ms. Young's website showing that it embeds her social media accounts so that all Twitter, Instagram and Facebook posts appear on her Member website. Ms. Young stated that everything on her website was automatically pulled from social media until she received steps to de-link her website to her accounts after receiving Mr. Reiter's letter.
  38. Exhibit 38: This is a February 17, 2022, Leader Post story about COVID-19 that refers to Ms. Young as "NDP MLA for Regina University Aleana Young and owner of Takeaway Gourmet Aleana Young" and includes a photo taken of her outside the Company store. Ms. Young indicated that this was a file photo the Leader Post had from 2019 and that she has no control over how the Leader Post referred to her.
  39. Exhibit 39: This is an April 1, 2021, Twitter post where Ms. Young replied to a legislative reporter and said: "I will donate a wheel of cheese to the journo or charity of your choice if you get a quote from Jeremy Harrison [Minister of Trade and Export Development] on this". Ms. Young advised that this was not a legitimate offer of cheese, and she was quite confident that this was a shared understanding.
  40. Exhibit 40: This is a January 22, 2021, Twitter post where Ms. Young wrote: "A truckle of cheese to whomsoever gets that in print. Fun update: this led me to google in what format Hansard is recorded and turns out it has its own style guide". Ms Young indicated she did not know what was being talked about in this exchange, but it appeared to be about style guides for abbreviations. Ms. Young further indicated that no cheese was provided to either journalist and that she has never given or seriously promised free cheese to anyone.
  41. Exhibit 41: These are copies of replies on Ms. Young's Twitter posts. Ms Young stated that these were responses to her and that she did not respond to these inquiries.
  42. Exhibit 42: These are copies of responses to Ms. Young's Facebook posts. Ms. Young stated that the commenters were her dad, her best friend and a former customer.

Mr. Reiter's request also advances allegations related to:

- an April 1, 2021, media interview Ms. Young held outside the Company storefront. Ms. Young advised she has done stand-up interviews with that journalist all over the city. He often asks to leave the Legislature and to do the interviews at other locations. She has never suggested doing an interview at the Company and she has never asked a member of the press gallery to come to the Company's premises;
- a January 14, 2021, Leader Post and Star Phoenix article where the writer wrote: "In her role as the owner of Takeaway Gourmet, Young's portfolio in the opposition government is jobs and the economy";
- a February 17, 2022, Leader Post article describing Ms. Young as "NDP MLA for Regina University Aleana Young and owner of Takeaway Gourmet Aleana Young", and included a photo of her standing outside the Company store;
- a January 18, 2022, article reporting on a press conference Ms. Young held, which describes her as the owner of "Takeaway Gourmet cheese shop"; and
- a July 10, 2023, interview of Ms. Young where CTV News showed the Company's logo and storefront in its story.

## VI. THE LAW

Below I will review the relevant statutory provision and when a breach of s. 5 occurs.

### A. The Relevant Statutory Provisions

The relevant section of the *Act* for the purposes of my opinion is as follows:

#### **Influence**

5 A member shall not use his or her office to seek to influence a decision made by another person to further the member's private interest, his or her family's private interest or the private interest of an associate.

### B. When Does a Member Breach Section 5?

Section 5 exists to protect the integrity of public office by preventing its misuse for personal benefit.<sup>2</sup> This section “clearly indicates M.L.A’s are not to use their office to promote private interests”<sup>3</sup> because “[p]ublic officers ultimately owe their position to the public whose business they are conducting”.<sup>4</sup> This section requires Members to demonstrate “a commitment to maintaining the public trust” even when “dealing with third parties outside the ordinary contexts of legislative or executive government decision making”.<sup>5</sup> Commissioner Barclay put it this way:<sup>6</sup>

Ethics and integrity are at the core of public confidence in government and in public affairs. Elected officials are expected to perform their duties in office and arrange their private affairs in a manner that promotes public confidence and avoids the improper use of the influence of their office to further their private interests. Elected officials should be aware of both apparent and real conflicts and recognize the need to uphold both the letter and the spirit of the law.

These principles are enshrined and codified in s. 5. For this reason, a Member will be found to have violated this provision where three key elements are present. These are:<sup>7</sup>

1. The Member must have actually attempted to influence the other person’s decision, but need not have been successful;

---

<sup>2</sup> Opinion of the Conflict of Interest Commission the Honourable Ronald L. Barclay, Q.C. pursuant to Section 29(1) of The Members’ Conflict of Interest Act regarding the compliance of the Hon. Mr. Boyd, Member for Kindersley with the Act (the “**Boyd Report**”), p 11.

<sup>3</sup> Boyd Report at p 8.

<sup>4</sup> Boyd Report at p 10.

<sup>5</sup> Boyd Report at p 11.

<sup>6</sup> Boyd Report at p 10.

<sup>7</sup> Boyd Report at p 10.

2. The Member must have used their public office in the attempt to influence another person; and
3. The attempt to influence another person must have occurred to further the private interest (meaning a real or tangible personal benefit) of the Member, their family or their associates.

Each element must exist on the balance of probabilities before a s. 5 violation can be found.

## VII. DISCUSSION

With the above in mind, I turn to the allegations against Ms. Young specifically. In considering these allegations, I note that I have considered the submissions included in Mr. Reiter's s. 29 request and the legal submissions provided by Ms. Young's legal counsel on February 18, 2025.

I will begin by addressing whether the first element of a s. 5 breach exists – specifically, whether Ms. Young actually attempted to influence another person's decision. For the reasons that follow, it is my view she did not.

Mr. Reiter's s. 29 request alleges that Ms. Young has contravened s. 5 of the *Act* through (a) using her MLA social media accounts to promote the Company; (b) embedding her social media posts about the Company on her MLA website; (c) using the Company's resources to complete her duties as an MLA; and (d) using her MLA access to the media to promote the Company's interests. Mr. Reiter argues that, based on the circumstantial evidence, Ms. Young has attempted to influence the followers of her social media, visitors to her Member website and the broader public to have a positive perception of the Company's brand and products.<sup>8</sup>

In response, Ms. Young argues that there is a threshold issue respecting who the decision-maker is and the subject matter of the decision at issue. She argues that this is necessary because there must exist an actual, subjective intention to influence another person before this element is satisfied.

I first note that I agree with Ms. Young on the legal test: before this element is satisfied, there must exist a subjective intention. This is not satisfied by mere recklessness; there must be an actual intention to attempt to influence the decision of another person. At the same time, I also agree with Mr. Reiter that I can use circumstantial evidence to infer this subjective intent.

With that, I turn to Ms. Young's social media posts to consider whether I am satisfied that this subjective intention exists. Distilled, these posts break down into the following categories:

1. Posts referring to Company and its operations indirectly, such as through statements about selling cheese or pictures of cheese and meat platters (Exhibits 1, 6, 7, 10, 24, 31, 32, 39 and 40);
2. Posts referring to or showing Ms. Young working at the Company (Exhibits 3, 4, 5, 14, 15, 17, 18, 23, 27, 33); and

---

<sup>8</sup> Mr. Reiter also suggests that Ms. Young has acted as an influencer or a "micro-influencer" and has used her Member social media to build trust and positively influence her followers.

3. Posts referring to or depicting the Company and its products, prices and hours directly (Exhibits 2, 8, 9, 11, 12 – 13, 16, 19, 20 – 22, 26, 28, 29, 30, 34, 35, 36).

I have no concerns with respect to the posts in Categories #1 and #2. Ms. Young is a Member, but she is also a businesswoman. Ms. Young has testified that she is proud of being a small business owner and that she is proud of balancing this with her elected life and with being a parent. I accept this evidence. She is permitted to share her life on social media like other Members. She is permitted to celebrate being an entrepreneur and a small business owner. To conclude otherwise would be stop all Members from ever sharing from their personal lives on social media. For example, if a Member posted a social media photo located at their family farm, they arguably would be found to have breached s. 5 of the *Act* if one applied this logic: they would be promoting the farm's business on their social media.

That said, I do view Ms. Young's Category #3 posts as close to the line. I do accept that Ms. Young has shared the Company's posts accidentally to her Instagram stories and then deleted them shortly thereafter on occasion (e.g. Exhibits 20 – 22, 25).<sup>9</sup> Yet there do exist other social media posts where Ms. Young has reposted posts showing the Company's store (e.g. Exhibit 11), showing the Company's products (e.g. Exhibits 19) and has referred to seeing people "at the cheese shop" (Exhibit 29). These posts were embedded on Ms. Young's Member website for a period of time.<sup>10</sup> It is my view that these posts come very close to promotions of Ms. Young's private interest in the Company and could support a finding that she was actually attempting to influence the public in favour of her Company.

That said, I am not prepared to make that finding. I have considered these posts/stories in conjunction with Ms. Young's testimony, and I accept Ms. Young's testimony that she was not intending to influence anyone to shop at the Company through these posts/stories. I also accept Ms. Young's explanation for them: that she was attempting to share her life with her constituents on social media. If anything, Ms. Young was trying to promote herself as a Member by projecting herself as a real, accessible and genuine MLA – not to promote the Company itself.

Given these findings, I ultimately am not satisfied on the balance of probabilities that Ms. Young had an actual intent to influence members of the public to purchase product from the Company or to have a more positive perception of the Company. For this reason, it is my opinion that Ms. Young has not contravened s. 5 of the *Act*.

I also note Mr. Reiter has also advanced allegations relating to the press coverage of Ms. Young. He has suggested that Ms. Young has attempted to influence the media because she raised the Company in multiple media interviews and press conference. This is not borne out on the materials provided to me. I accept that there is media reporting that refers to Ms. Young's relationship to the Company – but Ms. Young does not control how media refers to her or whether it uses the Company's logo in its reporting.

---

<sup>9</sup> Ms. Young explained that she has access to both her own account and the Company's account on Instagram and that it is fairly easy to accidentally "cross-post" on one account.

<sup>10</sup> I note that I do not take the embedding itself to amount to an attempt to influence given my finding respecting Ms. Young's intent, the evidence that this occurred as a function of the website template used and Ms. Young's efforts to remove these embedded posts following receipt of Mr. Reiter's s. 29 request.

Finally, I do want to offer one concluding comment on the use of social media by Members. This is the first such case that has come to my office for consideration. To my knowledge, there exists no guidance for Members of the Saskatchewan Legislature on how to use social media whether from an expense or a conflicts of interest perspective. This is an area in which guidance from Legislative Assembly Services for Members of all parties would be useful. This is particularly so because in light of this opinion and going forward, both Ms. Young and other Members will need to exercise significant caution in their use of social media as it relates to their personal interests or risk being found in breach of s. 5.

### **VIII. OPINION**

Based on the above, it is my opinion that Ms. Young has not breached s. 5 of the *Act*.

Dated at the City of Regina, in the Province of Saskatchewan, this 17 day of March 2025.

  
\_\_\_\_\_  
The Honourable Maurice Herauf, K.C.  
Conflict of Interest Commissioner  
for the Province of Saskatchewan