

***CMAJ* GOVERNANCE REVIEW PANEL**

FINAL REPORT

July 14, 2006

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BY COURIER

July 14, 2006
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Mr. William Tholl
Secretary General and CEO
Canadian Medical Association
1867 Alta Vista Drive
Ottawa, ON K1G 3Y6

and

Mr. Brian Peters
CEO
CMA Holdings Inc.
1870 Alta Vista Drive
Ottawa, ON K1G 6R7

Dear Messrs. Tholl and Peters:

Re: CMAJ Governance Review Panel Final Report

Please find attached the final report of the CMAJ Governance Review Panel ("Panel"), submitted in accordance with the Panel's Mandate and Terms of Reference dated March 14, 2006.

I would be pleased to address any questions or concerns you may have on behalf of the Panel and at your convenience.

Yours very truly



Richard W. Pound, Q.C.
Chair

cc: Dr. Louise Cloutier, Chair, CMA Board of Directors
Dr. Ian Warrack, Chair, CMAH Board

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BACKGROUND

The *Canadian Medical Association Journal* (“CMAJ” or “*Journal*”) has been published continuously since 1911. It is currently the leading general health sciences journal in Canada. CMAJ describes itself as a “general journal publishing original research and review articles, commentaries and editorials, practice updates, an arts and ideas section and health news.”¹

In March 2006, the Canadian Medical Association (“CMA”) together with and through its wholly owned subsidiary CMA Holdings Inc. (“CMAH”) commissioned an *ad hoc* panel (“CMAJ Governance Review Panel” or “Panel”) of individuals with various areas of expertise to fulfill the following mandate:

To review the CMAJ’s governance structure and to provide objective recommendations to further the CMAJ’s continued commitment to editorial independence and maintaining excellence in reporting on the science and art of medicine.

A copy of the Terms of Reference governing the Panel is attached as Appendix “A”. The Panel Members were provided with the CMAJ Interim Governance Principles for review, which are located at Appendix “B”.

The final composition of the Panel was determined on May 10, 2006. Panel Members each provided a Declaration of Competing Interests as set forth in Appendix “C”.

¹ <http://www.CMAJ.ca/misc/about.shtml>

The Panel Members are:

Mr. Richard W. Pound, Q.C., Chair – Partner at Stikeman Elliott, LLP, Chancellor at McGill University, Chairman of the World Anti-Doping Agency, Member of the International Olympic Committee and internationally recognized arbitrator.

Dr. John Dossetor, Vice-Chair – Retired nephrologist and medical ethicist, one of the founders of the Kidney Foundation of Canada and current Ombudsman-Ethicist at *CMAJ*.

Professor Amir Attaran – Associate Professor and Canada Research Chair at the Institute of Population Health and Faculty of Law and Medicine, University of Ottawa and Editorial Consultant for *The Lancet*.

Dr. Catherine DeAngelis – Editor-in-Chief of the *Journal of the American Medical Association*, Editor-in-Chief of Scientific Publications and Multi-media Applications, and Professor of Pediatrics, Johns Hopkins University School of Medicine.

Mr. Larry Mohr – Vice-President, CMA Holdings Inc. and President and Chief Executive Officer of Practice Solutions Ltd..

Dr. Charmaine Roye – Obstetrician Gynaecologist and current representative for the Committee of National Medical Organizations at the Canadian Medical Association Board.

Dr. Martin Schechter – Professor and Head of the Department of Health Care and Epidemiology of the Faculty of Medicine at the University of British Columbia.

Dr. Eldon Smith – Editor-in-Chief of the *Canadian Journal of Cardiology*, Emeritus Professor and former Dean of the Faculty of Medicine at the University of Calgary and President and Director of the Peter Loughheed Medical Research Foundation.

The Panel met a total of eight (8) times, either in person or via video or teleconference, to discuss issues pertinent to its mandate. The Panel issued a “Call for Comments” (Appendix “D”) to elicit the views of third-parties, including the former editor-in-chief and editorial staff of the *Journal*, and extended the original deadline for submissions of May 5, 2006 to May 16, 2006. The “Call for Comments” was published in the print version of the *CMAJ* on April 25, 2006 and online at <www.cma.ca> and

<www.cmaj.ca> on March 29, 2006, in addition to the Press Release of that date. Submissions received after the published deadline were also considered by the Panel. The Panel received a total of 103 responses, either via mail, e-mail or telephone to its "Call for Comments". To respect the confidentiality of the submissions, the Panel has listed only the names of individuals or institutions that provided submissions, which may be found at Appendix "E". The names of those individuals who asked to remain anonymous do not appear on the list. Additionally, the Panel requested input from 111 different institutions, including major medical journals, deans of Canadian medical schools, specialty medical societies, editors, journalists and publishers associations, and medical associations and organizations. A list of the organizations contacted may be found at Appendix "F". Of the organizations and individuals contacted, 17 provided responses, bringing the total number of submissions considered by the Panel to 120.

The Panel also commissioned an independent report regarding the governance of medical journals from Professor Gilles Paquet ("Paquet Report" at Appendix "G"). Professor Paquet is a Professor Emeritus and Senior Research Fellow at the Centre on Governance at the University of Ottawa. He has written extensively on issues pertaining to knowledge management and governance. The Paquet Report assisted the Panel by providing a very useful framework for consideration of issues pertinent to editorial independence, with specific reference to peer reviewed medical journals.

The Panel would like to take this opportunity to thank all the individuals who assisted the Panel during its deliberations. In particular, the Right Honourable Antonio

Lamer, who was required to step down from his role of Chair of the *CMAJ* Governance Review Panel in May due to ill health, assisted in establishing the Panel and in providing early guidance which proved valuable to the Panel's deliberations.

Jean Nelson, Associate Director, CMA Legal Services was very helpful in providing background and obtaining information needed by the Panel in her role as its informal corporate secretariat.

The Panel expresses its special thanks to Lynn Larson for her indefatigable efforts in organizing the work of the Panel, helping with the framing and drafting of several versions of the draft report, managing the logistics of bringing together so many busy members of the Panel and otherwise making it possible for the Panel to deliver this Final Report within the established deadline.

The analysis and recommendations of the Panel follow.²

² The Panel notes that, in the event of any discrepancy between the English and French versions of this Report, the English version shall govern.

INTRODUCTION

In late December 2004, the CMA decided to reorganize, *inter alia*, its many publishing and related services, among which were *CMAJ* and *eCMAJ* (collectively referred to herein as “*CMAJ*” or the “*Journal*”).³ Instead of being owned directly by the CMA and managed under the direction of the CMA Board of Directors (“CMA Board” or “Board”), these publications and services are now owned and operated by wholly-owned subsidiaries. Specifically, the CMA owns CMA Holdings Inc., which in turn owns Practice Solutions Ltd., which in turn owns CMA Media Inc., (hereinafter collectively referred to as “CMA” or “Owner”) which in turn owns the *CMAJ*. The Panel notes that, except for the thoughts expressed in the *CMAJ* Ownership and Reporting Structure section of this Report, the Panel takes no issue with (nor has it been invited to comment upon) the decision of the CMA to reorganize its business affairs. It is not surprising that an owner would consider operating efficiencies and insulation from litigation as reasonable objectives in creating its ownership structure.

That said, however, the Panel observes that the *CMAJ* is unique among the other assets held by these subsidiaries. Most of the other publications and services owned by these subsidiaries are not of the same nature as *CMAJ* and do not purport to be peer-reviewed general scientific journals. Having taken into consideration the *CMAJ* Mission Statement as discussed in a later section of this Report, the Panel believes that the *CMAJ*

³ The Panel notes that although the print version of the *Journal* and *eCMAJ* face different challenges in today’s online world, the issues of editorial governance and the importance of editorial independence remain, for the most part, constant. Any issues impacting primarily the print as distinct from the online version or vice versa shall be noted as required.

serves the broad purpose of the advancement of medicine as well as providing membership value to CMA members, and as such requires treatment differing from that given to the majority of CMA's other business interests.

In the Panel's view, the ownership structure of, and treatment given to, the *CMAJ* ought to be inextricably linked to the vision, accountability and reporting requirements of the *Journal*. Such structure and treatment impact greatly upon the particular focus that the Owner or the publisher deem necessary for the *Journal*. For the purposes of this Report, the Panel defines the "Publisher" as the individual person who is the agent or delegate of the CMA, charged with overseeing the business aspects of the *CMAJ* on a day-to-day basis. In turn, such considerations may affect the relationship between the Editor-in-Chief ("EIC") and the *Journal* Owner or Publisher, with specific focus on the potential for conflicts. In such a context, the need for clarity and effective governance structures becomes all the more important.

The World Association for Medical Editors⁴ ("WAME") Policy Statement entitled "The Relationship Between Journal Editors-in-Chief and Owners" attached as Appendix "H" provides:

Editors-in-Chief and the owners of their journals both want the journals to succeed but they have different roles. The editors-in-chief's primary responsibilities are to inform and educate readers, with attention to the accuracy and

⁴ The World Association of Medical Editors is a voluntary association of editors from many countries who seek to foster international cooperation among editors or peer-reviewed medical journals. The WAME website is located at <www.wame.org>.

importance of journal articles, and to protect and strengthen the integrity and quality of the journal and its processes. Owners (whether professional associations or for-profit companies) support the core values and policies of their organization and are ultimately responsible for all aspects of publishing the journal, including its staff, budget, and business policies. The relationship between owners and editors-in-chief should be based on mutual respect and trust, and recognition of each other's authority and responsibilities. Conflicts can damage both the intellectual integrity and reputation of the journal and its financial success.

It is clear that, as a practical matter, there is, and must be, a great deal of constant and reinforcing cooperation between the editorial and publishing sides of all medical journals. On many levels of daily operations there is a mutuality of interests and an overwhelming majority of the practical aspects of editing and publishing can be worked out in a collaborative manner to the satisfaction and benefit of both editor and owner. A journal that has inadequate or inferior substantive content will attract neither serious contributors, readers, subscribers nor advertisers. The *Journal* serves many stakeholders, including the Owner, the scientists producing the reports featured in the *Journal*, its user-practitioners, readers and, ultimately, the "greater good" served through the dissemination of knowledge and provision of a forum for intellectual debate. Some might add to such a list of stakeholders companies and groups who generate products and services used by the community of scientists and practitioners.

The Editor-in-Chief, serving such a diverse group of stakeholders, must perform a multitude of professional responsibilities. For example, the EIC cooperates and works with the Owner on the business aspects of the *Journal* but would expect that the Owner

would have the ultimate responsibility on such aspects. However, the EIC is also responsible to the multiplicity of other stakeholders reliant upon the EIC to ensure that the *Journal* fulfils the *CMAJ* Mission Statement.

Recognizing the diversity of interests to be served by the *CMAJ*, there must be a high level of trust and good faith involved on both sides of the editorial and publishing functions. No governance structure can legislate, impose or guarantee either characteristic. In the final analysis, the structures of governance become particularly important when there has been an erosion of trust and good faith. An appeal to these formal mechanisms is, almost by definition, the last resort.

At such a juncture, when efforts to arrive at collaborative solutions have failed, the issues become matters of rights and obligations, and the governance structure operates to identify the power to impose decisions. Decisions taken in such circumstances have both legal and practical consequences. The best way to avoid having to use such final resort mechanisms is to be as certain as possible that everyone concerned understands and appreciates all of the issues from the outset of the relationships. As discussed further throughout the body of this Report, this shared understanding is assisted through formal acknowledgement and acceptance of the mission and vision of the *CMAJ*, open communication, respect for differing views, good judgment and good governance.

CMAJ MISSION STATEMENT

A mission statement should accurately describe the aims, values and overall plan of an organization. For purposes of this section, by “Mission Statement” the Panel refers to the conventional short mission statement, together with the key goals and objectives included in or associated with it. The current *CMAJ* Mission Statement is attached as Appendix “I”.

The Panel notes that there appears to be no formal process for amending the Mission Statement. Historically, various approval processes have been used on an *ad hoc* basis when amendments were adopted, triggered at different times by the EIC, Journal Oversight Committee (“JOC”) and various boards of directors respectively. Any major policy shift that might be effected by amending the Mission Statement would alter the agreed framework within which the *Journal* is edited and published and could result in allegations of constructive dismissal⁵ if undertaken without the consent of affected parties. Because of this, it is the opinion of the Panel that amendments should not be undertaken lightly. The Panel recommends that a formal process be adopted for regular review of the *CMAJ* Mission Statement, and that any proposed amendments and the potential ramifications resulting therefrom be considered by the JOC (as discussed at page 19). In light of the CMA’s ultimate “ownership” of the

⁵ The term “constructive dismissal” is understood to mean a termination of employment brought about by making the employee’s working conditions so intolerable that the employee feels compelled to leave. (See, for example, *Black’s Law Dictionary*, Eighth Edition, Bryan A. Garner Editor-in-Chief (2004, Thomson, U.S.A.) at 495.

Mission Statement, any proposed amendments must be put before the CMA Board for deliberation and ultimate approval.

Recommendation: The CMA should draft and adhere to a formal process for regular review of the *CMAJ* Mission Statement and the enactment of any appropriate amendments. Such review should occur not less than every five years. Proposed amendments to the *CMAJ* Mission Statement should be brought before the JOC for consideration. The JOC should seek input from, *inter alia*, the CMA, EIC and Publisher on the proposed amendments for purposes of its deliberations. The JOC's recommendations and observations regarding proposed amendments to the Mission Statement should be submitted to the CMA Board prior to the Board's final decision. The Panel recommends that amendments to the *CMAJ* Mission Statement should require a 2/3 majority of the CMA Board.

While it is not within the mandate of the Panel to comment upon the appropriateness of the Mission Statement itself, the Panel notes that the Mission Statement provides a frame of reference for all parties involved in the creation of the *CMAJ*, and as such should accurately reflect the goals and objectives of the *Journal*. One of the key goals and objectives of the *CMAJ* is the maintenance of high standards of editorial integrity, independent of any special interests including those of the CMA itself. The Panel therefore recommends that this goal be specifically included in the *CMAJ* Mission Statement. This amendment would underline the fact that the CMA understands that editorial freedom includes the possibility that the *CMAJ* may, from time to time, publish articles or editorials that may be in conflict with CMA policy and it is free to do so, provided appropriate disclaimers are utilized so that there can be no reasonable doubt on the part of a reader that he/she is reading editorial opinion and not the views of the CMA (as discussed at pages 29, 30).

Recommendation: The CMA should amend the *CMAJ* Mission Statement to enshrine, as a specific goal and objective of the *CMAJ*, the principle of editorial integrity, independent of any special interests.

The Panel also notes that the current title of “Mission Statement” as it appears at Appendix “I” is somewhat confusing, as it appears to amalgamate both the traditional concept of a mission statement and the key goals and objectives of the *CMAJ*. While not critical to any of the recommendations in this Report, the Panel suggests that during the course of reviewing the Mission Statement, the CMA consider separating the Mission Statement *per se* from the nine key goals and objectives found below it, and identifying the same by title. While these philosophies of the *CMAJ* should remain on a “single page” and be considered together as a unified statement of key values and objectives, the adherence to traditional identifiers will assist with understanding the overall mission of the *CMAJ*. A draft version of the revised Mission Statement is included at Appendix “J”.

Recommendation: The CMA should consider separating its Mission Statement by title into two sections: Mission Statement and Key Goals and Objectives. The Mission Statement and Key Goals and Objectives would be considered a unified statement of the overall plan for the *CMAJ* and provide a single frame of reference for the *CMAJ*.

The Panel agrees that the importance of the Mission Statement in providing decision makers with a frame of reference must be underscored. Should there be issues of contention or dispute, they should be considered with reference to the Mission Statement and resolution of the issues should be consistent with the values and objectives contained therein.

In this context, the Panel believes that any candidate for the position of EIC or Publisher of the *CMAJ* should be presented with the Mission Statement during the recruitment process and be given the opportunity to consider carefully the framework it provides. An offer of employment and an acceptance of an offer of employment reflect implicit acceptance of the *CMAJ* Mission Statement and require the CMA, EIC and Publisher to collectively respect its tenets.

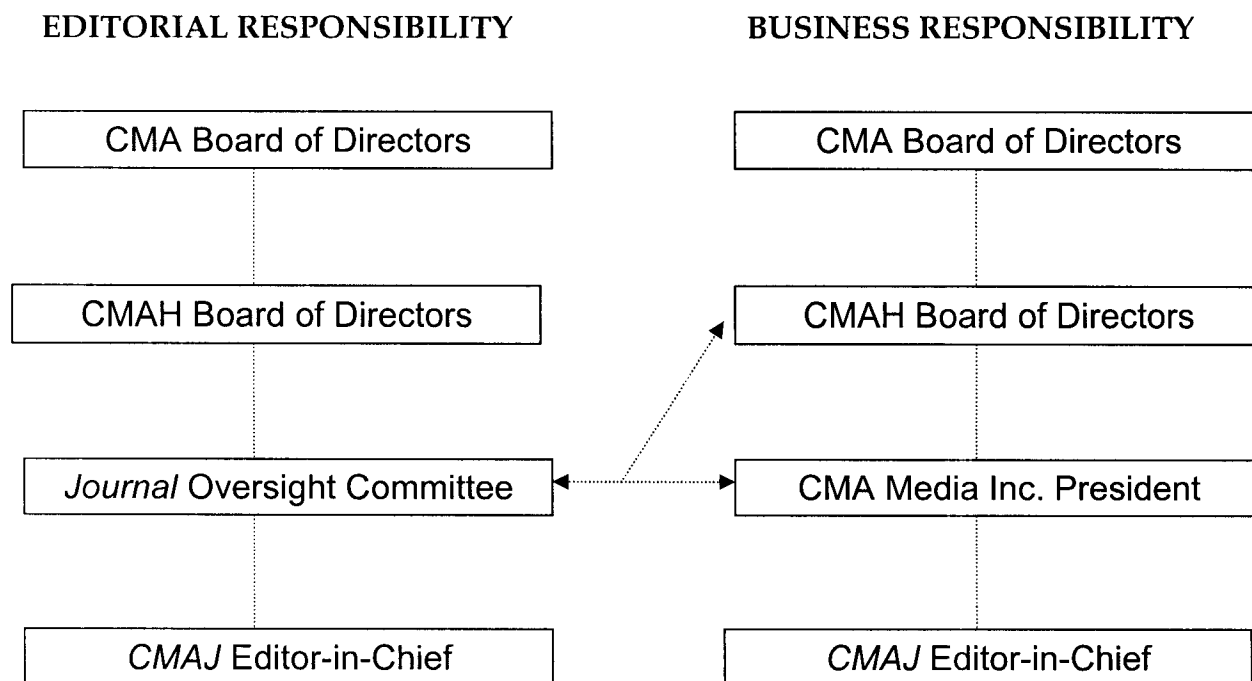
Recommendation: The *CMAJ* Mission Statement should be presented to any candidates for the positions of EIC and Publisher of the *CMAJ* for review, consideration and acceptance prior to hiring.

Recommendation: In all situations of conflict or disagreement, solutions sought should be consistent with the approved Mission Statement and Key Goals and Objectives.

CMAJ OWNERSHIP AND REPORTING STRUCTURE

The Panel spent considerable time reviewing the framework of the reporting structure for *CMAJ*, as well as for other journals of similar nature. The current *CMAJ* reporting structure organization chart, as relevant to the Panel's mandate, is set forth below. The Panel notes that the multi-level *CMAJ* reporting structure is due in large measure to the ownership structure of the *Journal*.

Current *CMAJ* Reporting Structure



The Panel's concern with this choice of organizational structure pertains to the special position of *CMAJ* as a peer-reviewed general medical journal. The Panel believes there is a clear distinction between such a journal and other publications or activities of the CMA. Most of the businesses owned by the CMA (e.g., MD

Management Ltd., Practice Solutions Ltd., CMA Media Inc.) are operated by the CMA's business arm, CMAH, with the intention of providing membership value to CMA members. The CMAH group of companies has historically generated an operating profit although certain businesses within the group have from time to time been operated at a loss for business reasons, *i.e.* they provide important membership value or are considered strategic investments. The Panel notes that the *CMAJ* has typically generated a modest profit in recent years.

The Panel has no philosophical objection to a medical journal of the nature of *CMAJ* being profitable, but would be concerned if profitability might be identified or inferred as the primary driver for such a journal, rather than, for example, scientific, medical and editorial integrity in keeping with the Mission Statement. The risks of a primary focus on profitability and/or the perception thereof are, in the Panel's view, increased in the current structure that has *CMAJ* reporting in the context of a for-profit structure.

The CMA Board, being comprised exclusively of physicians as distinct from the board of the subsidiary holding company, would be perceived by the scientific community as having broader understanding of the importance of and contribution made by a medical journal to the entire community of readers and has a more immediate interest in the advancement of the objectives established by the CMA for *CMAJ*. See, for example, the Mission Statement of the CMA which states:

To serve and unite the physicians of Canada and be the national advocate, in partnership with the people of Canada, for the highest standards of health and health care.

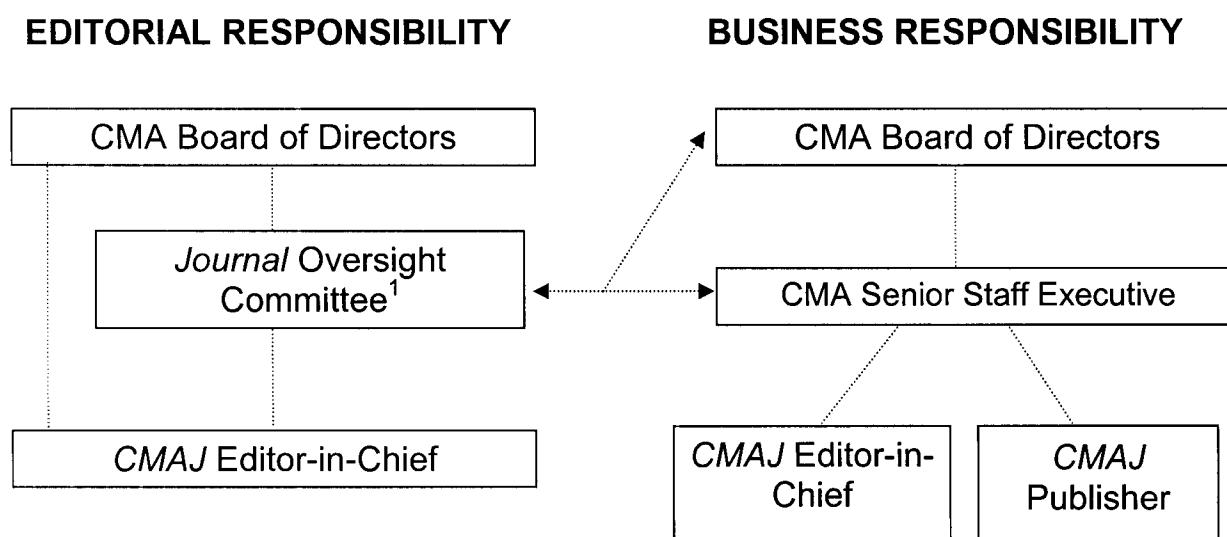
By contrast, the mandate given to the CMAH Board of Directors focuses primarily on business and financial considerations, and does not take into account the broader purposes of the *Journal* in providing value to members of the CMA and the dissemination of medical knowledge.

The CMA Board should likely understand that a general peer-reviewed medical journal has an obligation to present first class medical articles and opinions and that there is a concomitant responsibility to present an editorial perspective on important medical and health issues bearing on health care, as well as the advancement of medical knowledge and practices. The CMA's commitment in this regard is emphasized to some degree in the name of the *Journal*. As a practical matter, many of the issues faced by CMAH pertinent to *CMAJ* must revert through the CMAH Board to the CMA Board. This results in additional layers in the reporting structure and increases the risk of conflicts arising from competing visions. The Panel adopts the view that the multiple layering has resulted in a blurring of the lines of authority and accountability. The Panel therefore recommends that the *CMAJ* in its entirety revert back to the direct ownership of the CMA. Flowing from the foregoing recommendation, the Panel concludes that the reporting structure of the *CMAJ* should also be revised to allow for the EIC of the *CMAJ* to have a direct reporting and sounding-board access to the JOC and, ultimately, on a regular basis, to the CMA Board itself. To avoid the potential for

misunderstanding, note that when discussing “reporting” relationships and requirements herein, the Panel refers to the provision of information and recommended channels of communication as opposed to the formal corporate responsibility sense of that expression.

Recommendation: In recognition of its unique position as a peer-reviewed general medical journal, the *CMAJ* in its entirety should revert back to the direct ownership of the CMA.

Recommended Final Reporting Structure



¹ Relation of the *Journal Oversight Committee* to the CMA Senior Staff Executive and to the CMA Board of Directors is one of communication on the *Journal's* progress and performance.

The structure shown above has as its most important element that there be no crossover between the lines of reporting for editorial and business affairs.

This recommendation is not meant to suggest, however, that any publication, including *CMAJ*, can be operated without regard to the economic aspects of such

operations, both as to revenues and to costs. As indicated in the above diagram, part of the EIC's job is to handle certain "business" issues, such as annual budget planning, editorial staffing and salary determinations, editorial systems and related equipment, etc. based on available financial resources. Nor does the Panel believe that a responsible EIC would choose to operate a journal without regard to the economic realities of the publishing industry. As previously noted, the Panel understands that the *Journal* has, to date, generally been profitable, but it is also aware that the publishing world is faced with new challenges, economic and otherwise, many of which arise from the digitization of traditional print material. The *Journal* will not be immune to or isolated from these challenges.

On the other hand, however, there may be differences between the CMA and the EIC as to the content or editorial positions taken by the EIC in relation to the *Journal*. In the view of the Panel, where such differences arise, this is not a matter in which the determinative position should be the responsibility of the Owner or Publisher. A few examples will illustrate what might give rise to such frictions:

- The EIC decides to publish an article or editorial that is critical of a product, or even the producer of a product, and the producer is a major advertiser in the journal
- The CMA has adopted a position regarding a particular subject and the EIC publishes an editorial that is critical of or opposed to that position
- The *Journal* publishes an article, scientific or otherwise, that is highly controversial in nature and draws criticism from advertising clients, who threaten to pull their advertising support if the article is not withdrawn

- The *Journal* publishes an editorial espousing an opinion, which notwithstanding the disclaimer contained in each edition, others misconstrue as the opinion of the CMA
- The *Journal* publishes an editorial or news story criticising another health profession or ally of the CMA

As reflected in the recommended reporting structure, the EIC must have access to the CMA Board should there be any dispute of this nature that cannot be resolved through the administrative mechanisms (such as a Journal Oversight Committee) in place. In addition to the regular communication reports already recommended, the EIC should be able to request and obtain such access whenever necessary to provide appropriate evidence to demonstrate that an editorial position is being improperly characterized as a business or publishing issue.

Recommendation: The CMA should provide and require regular direct access for the EIC to the CMA Board (in addition to the Senior Staff Executive appointed by the CMA Board), for resolution of any issues that may concern the editorial policies or content of the *CMAJ* - at least twice per year.

JOURNAL OVERSIGHT COMMITTEE

Throughout the course of its deliberations, the Panel considered several editorial governance structures implemented by various international peer reviewed scientific journals. The Panel concluded that continuation of the Journal Oversight Committee concept introduced at *CMAJ* in 2002 would - if properly reconstituted and given adequate authority and deference -- provide the *CMAJ* with a mechanism to resolve the great majority of potential disputes between the *Journal's* Owner, Publisher, and the EIC, and to minimize the likelihood of permanent damage to relationships between the parties. The parties will be expected, without necessarily being bound by decisions of the JOC, nevertheless to afford them considerable deference, using *ad hoc* reference to the CMA Board as a last resort for important issues of principle.

Recommendation: The Panel recommends that a Journal Oversight Committee structure (the composition and mandate of which are described below) be used to resolve issues that may arise regarding the editorial policy of the *CMAJ* and any other differences that may arise between the EIC and the Owner or Publisher of the *CMAJ*. Issues that cannot be resolved by the JOC shall be determined by the CMA Board, having considered and afforded deference to the recommendations made by the JOC.

In order for a JOC to function effectively, it must be provided with a clear and written statement of its mandate, authority and terms of reference. The Panel's view is that the mandate and terms of reference must provide the JOC with authority to act proactively in matters of potential conflict, and not limit the JOC merely to reacting to issues raised by the EIC, Publisher or CMA. The ability to deal with issues proactively is especially pertinent to the speed at which events occur in today's online environment.

A practical concern to be addressed if the JOC is to fulfill its mandate is the matter of timeliness. The JOC must be able to respond in a timely manner to any contentious issue. Delay in responding will heighten tensions and increase the potential for damage to relations between the parties. In addition to regular (*e.g.* twice annually) meetings of the JOC, members must be able to respond to an issue put before the JOC, ideally within 48-72 hours of submission. As a matter of practice and in order to enable it to make informed decisions, the JOC should also have full access to all pertinent financial information pertaining to the *CMAJ*, including revenue and expense statements, budgets and actual results on an as-needed basis.

Recommendation: The JOC must be governed by a clear written mandate and terms of reference. The JOC should have the authority to make recommendations to the CMA Board on matters of contention between the Owner, EIC and Publisher. The mandate and terms of reference must include the ability to actively intervene in situations of potential conflict, and the requirement to respond in a timely manner to any issues put before it for consideration. The JOC must also have full and unfettered access to all pertinent *CMAJ* financial information on an as-needed basis.

Recommendation: Members of the JOC should be advised more particularly of their responsibilities via a clear list of expectations. This list would include, for example, the requirement to participate in regular (*e.g.* twice annually) meetings of the JOC, the requirement for the Chair to attend or tender a report annually at a meeting of the CMA Board and reinforce the commitment to respond to any urgent issue in a timely manner.

In order to be sensitive to the potential issues of concern affecting the Owner, EIC and Publisher, the Panel recommends that the JOC include representative members of key *CMAJ* stakeholders. Because the *Journal* will inevitably include non-peer reviewed editorial content such as “newsy” pieces or investigative reporting, the Panel believes that the JOC should include an individual who has journalism expertise, so that

issues of investigative journalism or “news” content may be considered by a committee including someone experienced with similar content and issues. In order to avoid any conflict of interest that may stem from having an actively employed journalist on the JOC, this role might be fulfilled by someone with an academic appointment who practices or teaches journalism.

Recommendation: The JOC should normally be comprised of seven members, including one member representing CMA Senior Staff Executive, five members representing the scientific, editorial, peer-reviewer, contributor, and medical communities, and one member with journalism expertise.

Recommendation: JOC members should be selected by the CMA Board based on a list of recommended persons submitted by the current JOC members. The JOC should submit three names per position. In the event that none of the three names is accepted by the CMA Board, the CMA Board must go back to the JOC and request additional names for consideration. Appointments and removals of JOC members should be based on a 2/3 majority vote of the CMA Board.

Recommendation: The Chair of the JOC should be elected by the JOC itself, and should not be the CMA employee. The Chair must, and JOC members should, attend at the annual meeting of the *CMAJ* Editorial Board to inform them of the JOC’s discussions of the prior year subject to appropriate restrictions regarding confidentiality.

Recommendation: Except for the senior CMA Senior Staff Executive representative, who shall serve on the JOC while on the CMA Senior Management Team, members of the JOC should serve three year staggered terms, renewable once.

The primary role of the JOC should be to serve as an objective forum for deliberation of contentious or potentially contentious issues regarding the advertising policy or editorial content of the *CMAJ*, against the matrix of the *CMAJ* Mission Statement and its Key Goals and Objectives and any relevant contractual obligations between the EIC and Owner. The terms of reference of the JOC should also enable it to

seek input from relevant parties regarding any concerns brought before it by the EIC, Publisher or Owner. The JOC should report regularly to the CMA Board and provide it with an overview of the issues considered and decisions reached. As a practical matter, recognizing that it may not always be possible for the full CMA Board to meet on short notice, and in an effort to resolve issues with the utmost expedience, the Panel recommends that, when necessary, the JOC report to the Executive Committee of the CMA Board (acting between meetings on its delegated authority) immediately upon determination of final recommendations regarding an issue of contention.

Recommendation: The JOC should report regularly to the CMA Board to keep it apprised of any issues it is deliberating. At a minimum, annual reports should be provided by the Chair of the JOC to the CMA Board. In addition, the Chair (or an authorized representative of the JOC) shall report, as necessary, to executive members of the CMA Board acting under delegated authority immediately upon determination of JOC recommendations pertinent to an issue. The CMA Board shall consider any such JOC recommendations on a timely basis.

In addition to its role of serving as an intermediary between the EIC and the Publisher and, if necessary, CMA management and elected officials on issues related to the content of the *CMAJ*, the JOC should maintain and foster open communication with the EIC through regular performance reviews. Such a process should be helpful in the prevention of disputes and increasing the level of trust between the parties.

Recommendation: The JOC should be responsible for proposing the criteria for EIC performance evaluation, which should be established in writing as approved by the CMA Board and made available to each member of the JOC, the EIC and the Senior Staff Executive. EIC performance should be evaluated annually, with a less formal semi-annual review. The Panel also recommends that a more extensive, detailed review occur prior to the appropriate date for possible renewal or extension. Results

of the performance reviews should be delivered to the CMA Board, the CMA Senior Staff Executive to whom the EIC reports for business matters and the EIC personally.

In addition to providing an impartial mechanism for reviewing the performance of the EIC, the JOC should also be responsible for making recommendations to the CMA Board regarding any proposed dismissal of the EIC. The purpose for inserting this recommendation is to increase the security of tenure of the EIC and to facilitate editorial independence. The Panel believes that the further requirement of a 2/3 majority vote of the CMA Board to dismiss the EIC would provide another layer of protection and further enable the EIC to make independent editorial decisions.

Recommendation: The JOC should be responsible for making recommendations regarding any proposed dismissal of the EIC. Should the JOC determine that dismissal of the EIC is appropriate, it shall present its recommendation to the CMA Board for formal vote. The CMA Board shall not dismiss the EIC without first seeking the advice of the JOC. A 2/3 majority vote of the CMA Board should be required for dismissal of the EIC.

EDITOR-IN-CHIEF

The Editor-in-Chief is responsible for directing the acquisition, assessment and approval of all editorial content in the *CMAJ*. This position often involves a balancing of competing interests within the confines of the Mission Statement of the *Journal*. Roughly divided, the interests at stake can be described as representative of the business issues (advertising, budgeting and business policies) and editorial issues (editorial content, including peer reviewed research and opinion or current event pieces) that surface when finalizing an issue of the *CMAJ*.

As stated in the Background section of this Report, Members of the Panel reviewed 120 submissions from independent third-parties identifying the kinds of tensions that may exist between the business and the editorial roles at *CMAJ* and other similar peer reviewed general medical journals. Submissions ranged from recommendations of complete and total editorial independence without any form of accountability to business-related stakeholders whatsoever, to recognition that the Owner, as the financier of the publication and the entity ultimately legally liable for errors made by *CMAJ* editorial staff, should be granted the right to intervene and overrule editorial decisions on its own initiative. After extensive deliberation, the Panel concluded that the appropriate balance between editorial independence and accountability to stakeholders would be facilitated through adherence to, *inter alia*, the recommendations applicable to the EIC position that follow.

Facilitating and maintaining trust between the various stakeholders in the *CMAJ* is one of the most difficult challenges faced by the EIC. Even the best internal governance structures are susceptible to impairment due to the personalities of key players. The Panel believes that many of the risks inherent in the intangible nature of finding the right “fit” can be mitigated by a thorough and transparent appointment process. The Panel presumes that part of this process would involve meetings between the candidate for the position of EIC and the Publisher (or, *vice versa*, were the open position to be that of Publisher) in order to facilitate the mutual communication of expectations, working styles and corporate culture – indeed, because the individuals will inevitably work together closely on a daily basis, it is likely that each party would request this consideration in any event.

The Panel recommends that the appointment of the EIC made by the CMA Board be based on a short-list of recommended individuals put forward by a search committee charged with selecting qualified candidates. If the CMA Board does not approve any individuals recommended by the search committee, it should be obliged to go back to the same or differently constituted search committee and request a further short-list of recommendations until an appropriate candidate is selected.

Recommendation: The Panel recommends that the CMA Board create a search committee charged with providing the CMA Board with a short-list of candidates qualified for the position of EIC. The CMA Board should select the individual for the EIC position from this short-list. If no acceptable candidate is identified by the CMA Board from the short-list, the CMA Board should go back to the same or differently constituted search committee and request a further short-list of recommendations until an appropriate candidate is selected.

Recommendation: The Panel recommends that the search committee appointed by the CMA Board be based on recommendations made by the JOC. The search committee should include, at minimum, the Chair of the JOC and representatives of relevant stakeholders, but should not include the Publisher.

The Panel recognizes that financial security and security of tenure of the EIC are key components of editorial independence. The Panel considers that a five year contractual term with the possibility of renewal or extension would provide the security of tenure necessary to facilitate editorial independence. Termination of the employment contract of the EIC should only be effected by the CMA Board after having followed the process involving the JOC (as set out at page 23). Should termination occur for a reason other than “just cause”, the EIC shall be paid in full for the full term of the contract. Failure to renew or extend at the end of its term should not be considered interference with editorial independence nor effective termination of the contract.

Recommendation: The Panel recommends that the term of employment for the EIC be five years, with the possibility of renewal or extension. Termination of the EIC contract prior to its expiration date by the CMA Board should occur in accordance with the process involving the JOC described in this Report, and the contract must be paid in full if the EIC is terminated without “just cause”.

Another important means of facilitating editorial independence is guaranteeing the security of budgetary resources. The EIC should have full responsibility for an annual editorial budget, to cover such expenses as salaries, editorial systems (electronic and otherwise), the cost of meetings, travel, office expenses *etc.* Requests for additional funds to cover extraordinary expenses should be considered impartially and transparently on a case-by-case basis and should not be characterized so as to interfere with editorial independence.

A common theme in many submissions made to the Panel is the importance of having clearly defined roles, responsibilities and accountabilities to ensure the independence of the EIC. Careful thought and consideration should be given to the job description put forward to potential candidates for the EIC position, and key elements of the job description should be contained in the contract of employment. While it is beyond the scope of this Report to list the minutiae of EIC duties and responsibilities, the Panel recommends that the employment contract contain not only the key duties of the EIC on a day-to-day basis, but also the applicable definition of editorial independence accepted by the CMA.

Recommendation: The Panel recommends that the employment contract for the EIC include reference to, at minimum, the following:

- specific acknowledgement and acceptance of the *CMAJ* Mission Statement and the procedures for amendment of same;
- a statement of the applicable principles of editorial independence accepted by the CMA (For example, *CMAJ* is a member of the International Committee of Medical Journal Editors, which adopts the World Association of Medical Editors' definition of editorial freedom.);
- separate and discrete reporting structures for (i) business and (ii) editorial issues and the protocol for resolving conflicts;
- the term of employment (including procedures for renewal and termination);
- a statement of financial compensation valid for the term of the contract;
- assurance of financial compensation valid for the term of the contract in case of early dismissal other than for "just cause";
- an annual performance review to be conducted by the JOC (formal annual review, and less formal semi-annual review);

- assurance of budgetary independence within the approved budgetary level established for each fiscal period and in accordance with the allocation of resources identified in the annual editorial business plan, subject to requests for additional funding due to extenuating circumstances, which should not be characterized so as to interfere with editorial independence;
- at minimum, attendance at an annual meeting with the JOC and CMA Board;
- key accountabilities/responsibilities for *CMAJ* and *eCMAJ*;
- representation of *CMAJ* on external national and international scientific organizations involved in science writing.

While the various mechanisms listed above are intended to establish editorial independence, they represent only one facet of the accountabilities required by a revised *CMAJ* governance structure. The Panel recognizes that editorial independence, while of the utmost import, cannot be entirely unconstrained. Decisions made by the EIC must of necessity be governed by the laws of Canada, and must honour the Mission Statement and Key Goals and Objectives of the *CMAJ* in addition to clearly stated contractual obligations. There is also the additional obligation of the EIC that is difficult to define – that of successfully increasing the reputational success of the *Journal*. With power comes responsibility, and the role of editor is no exception. As noted in the Paquet Report located at Appendix “G”:

Consequently, over and beyond their scientific and intellectual competencies, members of the editorial staff must make liberal use of the cardinal virtues (*temperantia* – the sense of limits, of not going too far; *justitia* – a sense of what is good; *fortitudo* – a capacity to take into account the context, and the longer time horizon; and *prudentia* – the sense of pursuing reasonable and practical objectives).

Throughout its deliberations, the Panel reviewed representative issues of contention between owners and editors of peer reviewed publications to determine what measures best worked to protect the owners of the publication from the financial and reputational liability risks stemming from editorial content. The Panel discussed the importance of public notification that the views expressed in *CMAJ* are not necessarily representative of those held by the CMA, to avoid misunderstanding by the readership. The Panel determined that the *CMAJ* should continue to include a disclaimer in the table of contents, and should consider increasing the font and boldness of the type to ensure that the disclaimer is prominently displayed so as to disassociate the CMA and the Publisher from responsibility. The wording of the disclaimer should also be reviewed to ensure that it is broad enough.

The disclaimer must also clearly indicate that all editorial matter represents the opinions of the authors, and should in no way be interpreted as representing the views of the CMA. For greater clarity, the Panel also recommends that consideration be given to repeating the disclaimer or a variation thereof on the first page of any editorials written by *CMAJ* staff. The text could read, for example:

Editorials represent the opinions of the authors and not those of the Canadian Medical Association.

Recommendation: The *CMAJ* should continue to feature a disclaimer in prominent type and font in the table of contents page. The Panel recommends a regular review of the text of the disclaimer to ensure that it communicates a clear disassociation of CMA policies from editorial content.

Recommendation: Consideration should be given to an additional, similar disclaimer featured on the editorial page itself stating that the editorials represent the opinions of the authors and not those of the CMA.

To clarify further that the opinions expressed in the editorials are the authors' own, the Panel recommends (subject to very rare extenuating circumstances in which the life or liberty of the author may be put at risk if the author is identified) that authors be requested to sign their editorials. This should be of benefit to both the CMA in furthering the disassociation of the views expressed in the *Journal* from CMA policies and in granting public credit to the authors for the expression of their ideas.

Recommendation: Authors should be requested to sign their editorials, subject to extenuating circumstances wherein the life or liberty of the author is deemed to be at risk if his or her identity is made public.

A recurrent theme throughout the Panel's deliberations was the importance of open communication between the EIC, the Publisher and the CMA, in order to facilitate trust and avoid conflict between the parties. The Panel considered whether it would be an unacceptable infringement on editorial independence for the EIC to give a short advance warning to advise the CMA of potentially controversial content doing so after the *CMAJ* went to print and the content were immutable, but prior to the paper or online publication -- for example, by notifying the CMA at the same time as a press release regarding *Journal* content of potential controversy goes on the wire. The Panel determined that granting the CMA such limited advance notice of controversial content would be an act of comity and would not be an infringement of editorial independence

so long as no opportunity is presented to attempt to alter the content, and no expectation is created that the CMA would have an automatic right of response.

If, despite the disclaimers regarding editorial opinion, the CMA believes it necessary, it should avail itself of the opportunities to clarify its position that are open to all readers of the *CMAJ* – via letters to the Editor or submission of a responsive editorial, which should be subject to the same review process as those submissions made by any reader. The Panel noted that advances in technology have enabled very rapid public responses via the Internet. If *CMAJ* is concerned about facilitating timely publication of reader responses to its content, using *eCMAJ* to publish electronic letters might be one simple and expeditious means of doing so.

Recommendation: As an act of comity, the CMA should be given not less than the same advance notice of potentially controversial editorial content as that given to the media, to enable the CMA to address media interest. The CMA shall have no right to alter the content of any such editorial material. Any response from the CMA intended for publication in the *CMAJ* should go through the same process as all third-party submissions to the *CMAJ*.

EDITORIAL BOARD

The *CMAJ* Editorial Board (“Editorial Board”) was first created in 1998, and serves as an advisory body appointed by the EIC to provide input and direction on editorial content and to solicit manuscripts for the *CMAJ*. The Editorial Board has no managerial function. The process for selection and appointment of Editorial Board members is relatively informal. Usually, the EIC invites prospective candidates at his/her discretion, and explains that membership is usually a three-year renewable term. Members are asked to declare any potential conflicts, and to fill in a confidential statement of holdings of financial interest. Once a candidate is accepted onto the Editorial Board, his/her name is added to the *CMAJ* masthead, and he/she is invited to attend the annual Editorial Board meetings. There is no financial remuneration for service on the Editorial Board, although travel expenses to annual meetings are normally reimbursed.

The Panel deliberated as to whether any formal recommendations regarding the Editorial Board were necessary, such as recommended size or composition or particular roles or responsibilities. Since the Editorial Board is invited to serve in its advisory capacity by the EIC and fulfills its duty at the behest of the EIC, and as the EIC changes so too may the expectations of the Editorial Board, the Panel determined that the EIC should be responsible for defining the desired responsibilities and accountabilities of the Editorial Board. As noted throughout the Panel’s Report, communication of expectations is key and this should be undertaken by any EIC when inviting a

candidate to join the Editorial Board. Whether these expectations are set out in a formal contract or Memorandum of Understanding, or informally in a letter of invitation is a matter for the EIC to determine. Clearly defining the expectations of Editorial Board members should also mitigate the risk that the Editorial Board would be used inappropriately to fulfill oversight functions, which are clearly not part of the Editorial Board's responsibilities.

CONCLUSION

Trust and good faith cannot be mandated. The practical reality is that recourse to formal governance mechanisms is, *de facto*, a last resort, thereby making respect of and deference to the structures as implemented that much more important. Unfortunately, despite best efforts at creating internal governance structures to diffuse conflicts and increase communication between the parties, any formal governance structure is subject to impairment if it is not honoured. As noted in the Paquet Report located at Appendix "G":

Good governance is another name for effective coordination when power, resources and information are widely distributed. Given the complexity of the tasks and the multitude of contestable norms that may be used, harmonization and alignment appears to proceed at four levels: structures and rules, *modus operandi*, corporate culture and personalities. Any blockage at any of these levels will arguably generate impasses, and entail poor governance.

The Panel believes that implementation of, and good faith adherence to, the recommendations made in this Report should provide the CMAJ with a long-term internal governance structure capable of balancing the many competing interests that surface in the process of creating a high-calibre peer-reviewed general medical journal.

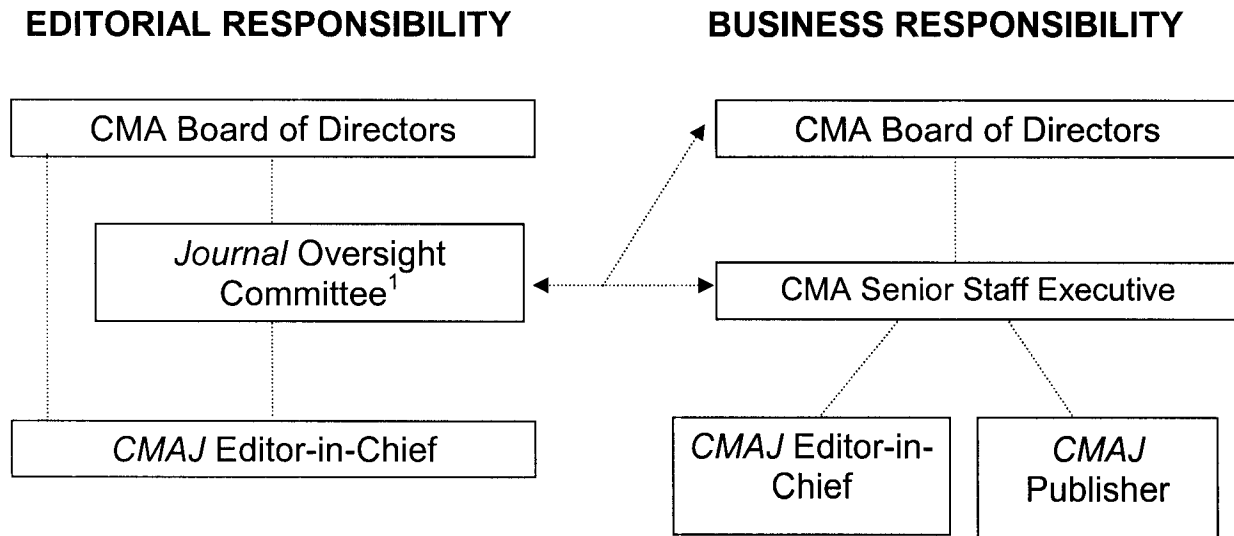
If, in addition to the formal structures the parties can develop and nurture the informal – but no less important – requirements of trust, good faith, empathy and open communication, the CMAJ and all those connected with this Mission should be capable

of anticipating, avoiding and resolving potential impasses, no matter what the source or context.

RECOMMENDATIONS

1. Recommendation: The CMA should draft and adhere to a formal process for regular review of the CMAJ Mission Statement and the enactment of any appropriate amendments. Such review should occur not less than every five years. Proposed amendments to the CMAJ Mission Statement should be brought before the JOC for consideration. The JOC should seek input from, *inter alia*, the CMA, EIC and Publisher on the proposed amendments for purposes of its deliberations. The JOC's recommendations and observations regarding proposed amendments to the Mission Statement should be submitted to the CMA Board prior to the Board's final decision. The Panel recommends that amendments to the CMAJ Mission Statement should require a 2/3 majority of the CMA Board.
2. Recommendation: The CMA should amend the CMAJ Mission Statement to enshrine, as a specific goal and objective of the CMAJ, the principle of editorial integrity, independent of any special interests.
3. Recommendation: The CMA should consider separating its Mission Statement by title into two sections: Mission Statement and Key Goals and Objectives. The Mission Statement and Key Goals and Objectives would be considered a unified statement of the overall plan for the CMAJ and provide a single frame of reference for the CMAJ.
4. Recommendation: The CMAJ Mission Statement should be presented to any candidates for the positions of EIC and Publisher of the CMAJ for review, consideration and acceptance prior to hiring.
5. Recommendation: In all situations of conflict or disagreement, solutions sought should be consistent with the approved Mission Statement and Key Goals and Objectives.
6. Recommendation: In recognition of its unique position as a peer-reviewed general medical journal, the CMAJ in its entirety should revert back to the direct ownership of the CMA.

Recommended Final Reporting Structure



¹ Relation of the *Journal Oversight Committee* to the CMA Senior Staff Executive and to the CMA Board of Directors is one of communication on the *Journal's* progress and performance.

7. Recommendation: The CMA should provide and require regular direct access for the EIC to the CMA Board (in addition to the Senior Staff Executive appointed by the CMA Board), for resolution of any issues that may concern the editorial policies or content of the *CMAJ* – at least twice per year.
8. Recommendation: The Panel recommends that a Journal Oversight Committee structure (the composition and mandate of which are described below) be used to resolve issues that may arise regarding the editorial policy of the *CMAJ* and any other differences that may arise between the EIC and the Owner or Publisher of the *CMAJ*. Issues that cannot be resolved by the JOC shall be determined by the CMA Board, having considered and afforded deference to the recommendations made by the JOC.
9. Recommendation: The JOC must be governed by a clear written mandate and terms of reference. The JOC should have the authority to make recommendations to the CMA Board on matters of contention between the Owner, EIC and Publisher. The mandate and terms of reference must include the ability to actively intervene in situations of potential conflict, and the requirement to respond in a timely manner to any issues put before it for

consideration. The JOC must also have full and unfettered access to all pertinent *CMAJ* financial information on an as-needed basis.

10. Recommendation: Members of the JOC should be advised more particularly of their responsibilities via a clear list of expectations. This list would include, for example, the requirement to participate in regular (*e.g.* twice annually) meetings of the JOC, the requirement for the Chair to attend or tender a report annually at a meeting of the CMA Board and reinforce the commitment to respond to any urgent issue in a timely manner.
11. Recommendation: The JOC should normally be comprised of seven members, including one member representing CMA Senior Staff Executive, five members representing the scientific, editorial, peer-reviewer, contributor, and medical communities, and one member with journalism expertise.
12. Recommendation: JOC members should be selected by the CMA Board based on a list of recommended persons submitted by the current JOC members. The JOC should submit three names per position. In the event that none of the three names is accepted by the CMA Board, the CMA Board must go back to the JOC and request additional names for consideration. Appointments and removals of JOC members should be based on a 2/3 majority vote of the CMA Board.
13. Recommendation: The Chair of the JOC should be elected by the JOC itself, and should not be the CMA employee. The Chair must, and JOC members should, attend at the annual meeting of the *CMAJ* Editorial Board to inform them of the JOC's discussions of the prior year subject to appropriate restrictions regarding confidentiality.
14. Recommendation: Except for the senior CMA Senior Staff Executive representative, who shall serve on the JOC while on the CMA Senior Management Team, members of the JOC should serve three year staggered terms, renewable once.
15. Recommendation: The JOC should report regularly to the CMA Board to keep it apprised of any issues it is deliberating. At a minimum, annual reports should be provided by the Chair of the JOC to the CMA Board. In addition, the Chair (or an authorized representative of the JOC) shall report, as necessary, to executive members of the CMA Board acting under delegated authority immediately upon determination of JOC recommendations pertinent to an issue. The CMA Board shall consider any such JOC recommendations on a timely basis.
16. Recommendation: The JOC should be responsible for proposing the criteria for EIC performance evaluation, which should be established in writing as approved

by the CMA Board and made available to each member of the JOC, the EIC and the Senior Staff Executive. EIC performance should be evaluated annually, with a less formal semi-annual review. The Panel also recommends that a more extensive, detailed review occur prior to the appropriate date for possible renewal or extension. Results of the performance reviews should be delivered to the CMA Board, the CMA Senior Staff Executive to whom the EIC reports for business matters and the EIC personally.

17. Recommendation: The JOC should be responsible for making recommendations regarding any proposed dismissal of the EIC. Should the JOC determine that dismissal of the EIC is appropriate, it shall present its recommendation to the CMA Board for formal vote. The CMA Board shall not dismiss the EIC without first seeking the advice of the JOC. A 2/3 majority vote of the CMA Board should be required for dismissal of the EIC.
18. Recommendation: The Panel recommends that the CMA Board create a search committee charged with providing the CMA Board with a short-list of candidates qualified for the position of EIC. The CMA Board should select the individual for the EIC position from this short-list. If no acceptable candidate is identified by the CMA Board from the short-list, the CMA Board should go back to the same or differently constituted search committee and request a further short-list of recommendations until an appropriate candidate is selected.
19. Recommendation: The Panel recommends that the search committee appointed by the CMA Board be based on recommendations made by the JOC. The search committee should include, at minimum, the Chair of the JOC and representatives of relevant stakeholders, but should not include the Publisher.
20. Recommendation: The Panel recommends that the term of employment for the EIC be five years, with the possibility of renewal or extension. Termination of the EIC contract prior to its expiration date by the CMA Board should occur in accordance with the process involving the JOC described in this Report, and the contract must be paid in full if the EIC is terminated without "just cause".
21. Recommendation: The Panel recommends that the employment contract for the EIC include reference to, at minimum, the following:
 - specific acknowledgement and acceptance of the *CMAJ* Mission Statement and the procedures for amendment of same;
 - a statement of the applicable principles of editorial independence accepted by the CMA (For example, *CMAJ* is a member of the International Committee of Medical Journal Editors, which adopts the World Association of Medical Editors' definition of editorial freedom.);

- separate and discrete reporting structures for (i) business and (ii) editorial issues and the protocol for resolving conflicts;
 - the term of employment (including procedures for renewal and termination);
 - a statement of financial compensation valid for the term of the contract;
 - assurance of financial compensation valid for the term of the contract in case of early dismissal other than for “just cause”;
 - an annual performance review to be conducted by the JOC (formal annual review, and less formal semi-annual review);
 - assurance of budgetary independence within the approved budgetary level established for each fiscal period and in accordance with the allocation of resources identified in the annual editorial business plan, subject to requests for additional funding due to extenuating circumstances, which should not be characterized so as to interfere with editorial independence;
 - at minimum, attendance at an annual meeting with the JOC and CMA Board;
 - key accountabilities/responsibilities for *CMAJ* and *eCMAJ*;
 - representation of *CMAJ* on external national and international scientific organizations involved in science writing.
22. Recommendation: The *CMAJ* should continue to feature a disclaimer in prominent type and font in the table of contents page. The Panel recommends a regular review of the text of the disclaimer to ensure that it communicates a clear disassociation of CMA policies from editorial content.
23. Recommendation: Consideration should be given to an additional, similar disclaimer featured on the editorial page itself stating that the editorials represent the opinions of the authors and not those of the CMA.
24. Recommendation: Authors should be requested to sign their editorials, subject to extenuating circumstances wherein the life or liberty of the author is deemed to be at risk if his or her identity is made public.
25. Recommendation: As an act of comity, the CMA should be given not less than the same advance notice of potentially controversial editorial content as that given to the media, to enable the CMA to address media interest. The CMA shall

have no right to alter the content of any such editorial material. Any response from the CMA intended for publication in the *CMAJ* should go through the same process as all third-party submissions to the *CMAJ*.