

# ZANDER: A BALANCED APPROACH

A Position Paper from the Angling Trust



Angling Trust  
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### Background

Zander (*Sander lucioperca*) are native to central and eastern parts of Europe and is not considered a native species to the UK. They are classified as an invasive non-native fish species of 'medium risk' – GB Non-native Species Rapid Risk Assessment (NNRA). Zander were first introduced in the 19th century with a subsequent legal stocking in the 1960s and populations have successfully established in the Fens, Midlands canals and in a number of river catchments including the Severn, Thames, Warwickshire Avon and Trent with little published evidence of a detrimental effect on native fish populations. There are sporadic reports of individual fish caught in rivers outside of this range.

They are also present in a number of totally enclosed and open stillwaters and reservoirs. They are now recognised as a popular and valued sport fish amongst many predator anglers and have been included in the official British Record (rod caught) Fish lists for many years. The current Zander record is held by a fish of 21lbs 5ozs caught by James Benfield from the River Severn at Tewksbury in 2007. There is no doubt that Zander fishing, whilst still a minority interest, is a growing part of the sport of angling, alongside the general rise in the popularity of lure fishing.

They have now spread into the canal network, almost certainly via illegal stockings, where in some locations they are considered to be responsible for a decline in some silver fish populations. The Canal & River Trust consider the risk on their narrow and turbid canals to be high, especially given the proximity of the canal network to numerous watercourses and catchments where Zander are not present and where their future presence would not be welcome. Because Zander can have an impact on native species, particularly in smaller and

shallow waterways, they are subject to legal controls.

**The issue of Zander in recreational fisheries has become highly contentious and this paper seeks to set out a clear path to a sensible policy position for fishery managers, the regulatory authorities and the wider angling community.**

### Definition of Non-Native Species

Non-native species are any animal or plant that have been spread, either intentionally or accidentally by human activity, out of their native range into a new environment. This includes a variety of species that have been introduced as part of the pet trade, for use in garden centres, or unintentionally entered such as stowaways on boats. Many of these have limited negative environmental impacts and can bring some economic benefits in their new location. However, around 10-15% of non-native species, have traits and adaptations that make them highly successful at breeding and spreading in the new location, outcompeting native species and causing significant negative impact on the environment and economy. These species are referred to as invasive non-native species. Some non-native species, including non-native fish, can carry exotic diseases that can significantly impact on native species.

### What is medium risk?

In the UK, Non-Native Species Risk Assessments (NNRA) are undertaken to determine whether the introduction and spread of a non-native species is likely to present a major economic, environmental and/or social threat. This risk assessment includes a series of 51 questions from which the independent assessor can determine the overall threat of the non-native species to the UK and assign one of five levels of responses

(very low, low, medium, high, very high) and a level of confidence based on the available evidence. These risk assessments are advisory but can be used alongside other information to allow for an objective, evidence-based decision to be made on management actions for that species. These may or may not be taken on board as part of the final risk assessment and subsequent national management plan.

A rapid draft NNRA for Zander was published in 2020, with the conclusion that the overall risk of Zander was a 'medium' rating with 'medium' confidence. This rating is based on the presence of Zander in several catchments within GB, having negative impacts on native fish species in these locations, but that the long-term effects of Zander introductions and their impact on native species remain uncertain and need further research. There is no specific definition of what 'medium' rating means, but similar 'medium' ratings have been given to **other non-native species such as the Bar-headed goose, the Indian house crow and Siberian chipmunk**, whilst species such as Signal crayfish and Floating Pennywort in comparison have been given a 'High' rating.

**It is important therefore to retain a sense of perspective on the likely impacts on a fishery of a 'medium risk' species such as Zander in different types of waters.**

### Legislation

The key legislation is the Wildlife & Countryside Act 1981 (WaCA) and the Keeping & Introduction of Fish Regulations 2015 (KIFr). Section 14 (b) Wildlife and Countryside Act 1981 prohibits introduction into the wild of any animal which is either "not ordinarily resident in" or "a regular

visitor to Great Britain" or is listed in Schedule 9 to the Act. This includes Zander.

The KIFr permits, which are issued by the EA, can require the management of non-native fish where it is considered necessary so to do. These are issued on a case-by-case basis. In some cases, these permits state that Zander caught on rod and line cannot be returned. In the CRT's case, it is now a condition of leasing certain parts of the canal network, imposed on them by the EA, that Zander caught on rod and line cannot be returned to the water.

<https://canalrivertrust.org.uk/refresh/media/thumbnail/30781-canal-kifr-site-permit.pdf>

### Legal Uncertainty

There is some uncertainty under the Wildlife and Countryside Act 1981 as to what constitutes a species that 'is not already established in a wild state' in Great Britain and the definitions of 'release into the wild'.

Although there is no clear guidance on this issue, the legislation is intended to cover situations where an animal is:

- a) not already established in a wild state where caught; and/or
- b) is transferred to another habitat for release; and/or
- c) is caught, removed and kept alive before being released (or escaping) into the wild at the same or another location.

None of these scenarios include the usual situation where a fisherman might return a hooked Zander where it had been caught, straight after its capture. **Such an interpretation of the Act might suggest that angling clubs are free to run a catch and release policy for Zander, but further clarification is needed. Without that further clarification from the regulator, there**

remains a risk that predator anglers could face possible challenge.

### **Invasive Alien Species (Enforcement and Permitting) Order 2019**

The 2019 Order is relevant to consider and overlaps with WaCA. It includes this provision:

3.— (1) A person who contravenes a provision of the Principal Regulation specified in Table 1 of Schedule 1 is guilty of an offence.

(2) A person who releases or allows to escape into the wild any specimen which is of a species of animal which—

(a) is not ordinarily resident in and is not a regular visitor to Great Britain in a wild state, or

(b) is included in Part 1 of Schedule 2,

The principal regulation 3(1) relates to the EU territory, (where Zander are common and wild, so does not apply). 3(2) adds an additional GB specific offence. However, since Zander are not listed in Part 1 of schedule 2, the key question is whether they are “not ordinarily resident” in Great Britain. Clearly a case can be made that Zander are now ordinarily resident in the country and that catching and then releasing them where caught is not contravening this provision.

### **Codes of Practice**

Under S14ZB of WaCA the Secretary of State has discretion to issue Codes of Practice for management of Schedule 9 species. We are currently checking if such a code has ever been issued as this could be highly relevant to zander and provide greater clarity.

**A joint approach by the Angling Trust, Canal & Rivers Trust, other fishery owners and the Zander Anglers Club of Great Britain to DEFRA for a specific Zander Code of Practice**

under the Act could be considered as a helpful future option.

## **Regulatory Authority**

Natural England have responsibility for the Wildlife and Countryside Act and state that it is illegal to release species to which the Act applies without a licence, including Zander, whether this is the first or subsequent releases. This could be interpreted as applying to anglers catching Zander, either accidentally or by design, and then releasing them unharmed. However, in recent meetings Natural England have made it clear that they have no intention of wanting to see the prosecution or criminalisation of anglers who decline to kill Zander caught whilst fishing. The Environment Agency does not require anyone returning a Zander immediately to where it has been caught on a river or canal to hold a KIFr permit.

In fact, the enforcement of WaCA is the responsibility of the Police and the Ministry of Justice, not NE. In the event of an observed, alleged offence, such as an angler quietly releasing a Zander in the same place as it was caught, the NE or EA could choose to make a report to the Police for action, but few people seriously believe the CPS would think it was in the public interest to prosecute.

**The reality is that catch and release fishing for Zander is a long-established angling practice in areas of the UK where they are present and will continue to remain an important part of our sport.**

## **Zander Anglers Club of Great Britain**

The Zander Anglers Club is seeking to secure for Zander the same protection as our other UK coarse fish. That means a limit to the number that can be removed by any one

angler and a size limit to what can be removed. That would retain a limited ability to take fish for food which they feel is important if we have to face down any anti-angling lobby who believe that angling can only be justified if it is to catch fish to eat.

They see the best opportunity to give the Zander this level of protection would be at a subsequent byelaw review. The Zander Anglers Club has no problem with the principle of riparian controls.

### Canal & Rivers Trust

As referenced above, the Canal & River Trust wishes to manage populations of Zander in its waterways, as is its right and obligation, by means of electro-fishing, seine netting and lethal control. This has proved highly contentious amongst a section of the angling community, but the Angling Trust acknowledges and supports the right of riparian owners to manage populations of non-native fish species in these circumstances as the law allows.

Under KIFr the Environment Agency issues permits to the Canal & River Trust that set out what fish can be introduced, and kept, in CRT controlled canals and stillwaters. In some waters they are required to actively remove Zander as a condition of their permit. This is to prevent the geographical spread of Zander within the canal network and connected rivers, limit their impact on native fish species and to protect the quality of fishing available to fishing clubs who rent stretches from them.

The EA have made it clear that CRT are at liberty to manage the fish stocks they own, providing they operate within the law. Where CRT intends to use nets, electric fishing and other survey equipment for fisheries management purposes, including removing Zander and other non-native fish species,

they must have written authorisation from the Environment Agency or Natural Resources Wales.

**In canals and enclosed stillwaters, riparian owners have the right, subject to obtaining regulatory approvals, to manage their fish stocks as they see fit. This is a principle supported by the Angling Trust and applies as much to the establishment of bespoke waters for crucians and tench by removing and reducing the impact of unwanted species as it does to Zander removal in favour of silver fish stocks and their subsequent recovery and protection.**

CRT state a number of other reasons to undertake control work on Zander, which the Angling Trust would support, including:

- to reduce to risk of/prevention of spread of Zander into other catchments.
- to reduce the risk of third-party action for damage to their fisheries where Zander are not currently present.
- to eradicate any new illegally introduced populations of Zander where not previously recorded, and
- at the request of NRW to prevent the risk of Zander coming close to and into Wales.

### Midlands Canal Zone

**In both 2015 and again in 2019 Canal & River Trust proposed the idea of a Midlands Canal Zander Zone where the species could be kept and pursued on a catch and release basis should anglers so choose. This is a pragmatic and sensible proposal that needs to be revived.**



## Joint Statement on management of Zander in Canal & River Trust waterways by the Environment Agency, Natural England and the Canal & River Trust

The recent joint statement reveals some interesting discrepancies.

<https://canalrivertrust.org.uk/refresh/media/thumbnaill/43307-zander-statement-2021.pdf>

On the one hand NE is claiming 'unambiguously' that the release of captured Zander by anglers is contrary to -

*Section 14 (b) Wildlife and Countryside Act 1981 prohibits introduction into the wild of any animal which is listed in Schedule 9 to the Act. This includes zander.*

Whilst the EA states -

*The Keeping and Introduction of Fish Regulations 2015 require that a permit must be granted by the Environment Agency for fishery owners to introduce or keep zander in England. Whilst some permits issued do allow the keeping of zander (for example in fully enclosed stillwaters), permits on canals and other online waters usually require the permit holder to remove zander from their fishery.*

## Environment Agency

"The EA have published articles in which they promote opportunities to fish for Zander and research to study growth patterns where fish are returned unharmed. The Agency clearly recognises that fishing for Zander on a catch and release basis is now an established part of the national angling scene."

<https://www.gov.uk/government/news/a-fishy-taster-session>

<https://www.gov.uk/government/news/its-reely-time-to-get-the-rods-out-and-gofishing>

## Natural England

In May 2019 NE gave a presentation on Zander to a forum of stakeholders at a Zander management workshop that highlighted six options to manage the situation in compliance with the Wildlife and Countryside Act. This was a far from 'unambiguous' definition of the current legislation on the return of Zander.

They included:

- Do nothing / maintain the status quo;
- Euthanise the fish and remove from the environment;
- Relocate the fish to an approved "enclosure", as defined under s14 W&CA;
- Permit the conditional release of all fish, at all sites, under a general licence;
- Permit the selected release of certain species at certain sites under licence;
- Develop an enforcement position with the EA'

**Since the entire joint paper is focused on the management of the canal network it is clearly wrong to cite this as a blueprint to eradicate or criminalise catch and release Zander fishing elsewhere in England.**

**Furthermore, it is clear from their presentation (see next page) that NE are amenable to taking a pragmatic and nuanced approach to both Zander and its place within the regulatory framework.**

## Natural England Options Presentation on Zander – 19<sup>th</sup> May 2019

### Zander and Natural England Policy



#### Way forward:

- Options for compliance with the Wildlife and Countryside Act:
  - Do nothing / maintain the status quo;
  - Euthanise the fish and remove from the environment;
  - Relocate the fish to an approved “enclosure”, as defined under s14 W&CA;
  - Permit the conditional release of all fish, at all sites, under a general licence;
  - Permit the conditional release of selected species at certain sites under licence;
  - Develop an enforcement position with the EA.

regarding the removal or otherwise of Zander from their waters by anglers. Anglers who do not wish to be party to the killing of fish are free to go elsewhere to practice catch and release fishing.

However, where these waters are being used for major competitions, we

### England Fisheries Group (EFG)

The EFG is the EA’s top level stakeholder forum for the consideration of fisheries matters. The issue of Zander and the recent Joint Statement from Canal & River Trust, NE & EA was discussed, and all the regulators were clear that whilst permitted Zander removal was entirely legitimate there was no read across from this situation that would see the automatic criminalisation of anglers who decline to kill fish. In fact, it was made clear that anglers should not be forced against their will to become part of a fishery management cull.

**This is at odds with any claims made that seek to compel anglers to kill all Zander caught or face prosecution. We believe that whilst it is perfectly legal and acceptable to catch and keep Zander this must remain a matter of choice rather than compulsion.**

### Where are we now?

The Angling Trust recognizes the right of riparian owners and the clubs that lease waters from them to set their own rules

would encourage the fisheries to acknowledge that a good many anglers may not wish their participation to be used to involve them in a Zander cull. In Angling Trust competitions, we would not want to see visiting anglers penalised for choosing to release back into their swims any Zander they may have caught and hope that clubs would recognise this.

The Angling Trust would have serious concerns about any push to enforce a "no return of Zander by anglers in any circumstances" policy on all waters. Such a policy would result in the routine sight of anglers killing and possibly filleting fish on public towpaths and would play right into the hands of the anti-angling brigade, who are currently stepping up their efforts to portray our sport as barbaric and cruel to fish. Nor do we want to see anglers in city centres all over the Midlands killing fish and throwing them up the bank. This would cause a public outrage and would quickly spread all over social media to the detriment of our sport.

## Angling Trust Summary Position

**Our policy is to support angler choice coupled with freedom for angling clubs to take appropriate management measures with regards to Zander.**

Zander are a popular and valued sport fish amongst many predator anglers and have enjoyed recognition in the official British Record (rod caught) Fish lists for many years. Equally, we acknowledge that in certain environments their presence is not welcomed by other coarse and competition anglers who view Zander as detrimental to their own sport.

The Angling Trust supports the use of permitted control methods by riparian owners, particularly in canals or in enclosed stillwaters, to manage their Zander populations. However, we will not support attempts to force unwilling anglers to be part of any cull and will oppose any moves to criminalise anglers for choosing to immediately return Zander they have legally caught on rod and line in waters where they are already established.

A joint approach to DEFRA to seek a specific Code of Practice for the management of Zander under WaCA 1981 is recommended.

NE is on record as favouring a flexible approach towards Zander and the EA have made it clear that they have zero intention of seeking enforcement action against anglers practicing catch and release of the species.

Given the length of time it has been present in the UK and its medium risk category, Zander are now regarded by most anglers as a semi-naturalised species.

The law allows for Zander to be removed by rod and line, and clubs and fisheries are free to write this into their club rules, should they so wish, or to maintain a catch and release

policy. Anglers then have the choice as to where and how they fish for Zander, subject to the permission of the owner of the fish and fishery.

At Angling Trust competitions, we would not want to see visiting anglers penalised for choosing to release Zander back into their swims and hope that clubs would recognise this. Alternatively, it would be incumbent upon the club to collect any Zander at the end of the competition rather than expecting anglers to kill them.

However, it is vital that anglers understand that the stocking or moving of Zander into new waters or sections of canal, e.g. upstream or downstream of the pound where it was caught, without EA permission is unlawful. We would not expect this permission to be given except in exceptional circumstances such as stocking into an entirely offline fishery where there is no threat of the species being accidentally introduced to another body of water.

We encourage CRT and other riparian owners seeking to manage Zander populations in their waters to actively consider the creation of Canal Zander Zones and bespoke Zander fisheries on totally enclosed stillwaters with a view to creating more legal sustainable Zander fisheries delivering angling opportunities with low risk of environmental harm.

The Angling Trust is committed to working with all our partners and stakeholders in resolving the fishery management issues and conflicts around the presence and capture of Zander in English waters.

**Angling Trust  
June 2021**



## Support for Angling Trust's policy position from across the sport

### Mark Downes - England Manager

"I agree with the Angling Trust stance on Zander as it covers all bases with regard to competitions. I feel ultimately the riparian owners must be able to control their own fisheries."



### Darren Massey - Captain Cadence Superteam

"I agree that the controlling clubs or fishery owners should control the population of Zander. But I do feel that nature will take its course and the Zander will begin to control itself, similar to my local Coventry canal where the Roach and Skimmer population has re-established."



### Mat Woods - Brand Manager, Korum

"For me, this issue has always been about choice. In the past, those choices were taken away and anglers were vilified for targeting Zander. Barriers are bad for angling- in any form - so I'm delighted to see such a cognisant and palatable policy that breaks down those barriers. Anglers and riparians alike should have a choice when it comes to Zander. With clarification on those choices, I believe we will see more anglers fishing for them. That's good for angling, whichever way you look at it."

**Daryl Hodges - Head of Marketing,  
Dynamite & Normark UK**

“For me, trying to eradicate Zander from our waterways makes no sense anymore. The fish are firmly established in many parts of the country and nature always finds a way of balancing things out. From a commercial point of view having a third predator species of course is good for the industry and I believe has really helped fuel a growth in lure fishing – especially on canals and waterways that have largely been forgotten.”



**Mark Powell-Bevan, Spokesman for Canal Zander and  
The Zander Angler Club of Great Britain**

“Great work by the Angling Trust to help remove the ‘illegal to return zander’ status on our canals. The Angling Trust are also encouraging the CRT to extend and create further Canal Zander Zones and other sustainable zander fisheries, which is a fantastic forward movement. The joint approach to DEFRA to seek a specific code of practice for the management of Zander under the Wildlife and Countryside Act 1981 is very encouraging indeed.”



**Gary Knowles – Korum Consultant and Predator  
Expert**

"In my view asking anglers to kill or remove a fish that they respect and care for goes against the very core of why we love this sport, and therefore attempts to vilify or at worst prosecute those that choose to return, unharmed, their quarry from where it was caught, I find both distasteful and divisive. In this statement the Angling Trust make it clear they will not support unwilling anglers becoming part of a cull and have stated emphatically that they will oppose any moves to criminalise those of us that will continue to return Zander, and for that reason this statement gets my support.”



### **Gary Palmer - Predator Guide and Organiser of Zandermania and World Predator Classic England**

“I am delighted to see the Angling Trust standing up for predator fishing and demanding that anglers should have the right to return Zander to waters where they are already established. I'm no fan of the Canal & River Trust's extensive electro-fishing campaign, but I can understand that the owner of a fishery should have the right to manage their own fish stocks as long as the clubs who are leasing the fishing rights have a say. It's about time someone in authority, looked at this in a balanced and responsible way and it seems to me that Angling Trust have done a pretty good job of getting to the core of the issue.”

