



What is Fish Legal?

Fish Legal is a membership association originally set up in 1948 and which operates throughout the UK. Previously we were known as the Anglers Conservation Association (or ACA). Our members come together with the common objectives of promoting and encouraging the conservation of our rivers, lakes and coastal fisheries; using the law to protect them and the interests of our members to fish in them.

We are united in a collaborative relationship with the Angling Trust, the national governing body for angling in England and Fish Legal member. We often work together on campaigns to protect fish and fishing and we share offices and several business functions to make members' subscriptions go further.

What sort of things does Fish Legal often help with?

- Civil compensation claims for damage to fisheries, including loss of amenity and restocking costs
- Pollution issues e.g. industrial, agricultural, sewage, silt, nutrient enrichment (etc.)
- Fish farming impacts, including escaped farmed fish
- Hydropower development and/or construction damage
- Over-abstraction and low flows
- In-river works (flood defence/dredging and land drainage/weed cutting/tree clearance)
- Poachers
- Navigation law
- Planning/development consent objections
- European environmental law and judicial reviews of public authorities
- Freedom of information requests
- Dealing with regulators such as the Environment Agency, Natural Resources Wales, Scottish Environmental Protection Agency, and Northern Ireland Environment Agency
- Conservation and wildlife law
- Explaining the nature and extent of your fishing and common law rights

Do I have to be a member of Fish Legal to get legal advice?

Yes, you must be a member of Fish Legal. Being a member of the Angling Trust only would not qualify. In England, only members of the Angling Trust are eligible to join Fish Legal. In Scotland, Wales and Northern Ireland, it is not necessary to join the Angling Trust, but you are welcome to do so.



Do all members qualify for legal advice?

Not all members are entitled to legal advice or assistance. Individual members and life members of Fish Legal and/or the Angling Trust do not receive this benefit, but they are valued supporters and their subscriptions are vital to help fund the work we do.

The current categories of Fish Legal members that are eligible for legal services are:

- Angling clubs, federations which own fishing rights, syndicates, riparian owners, commercial fisheries and charter boat owners.

What does full Fish Legal membership entitle me to?

- Free direct access to a lawyer specialising in environmental and fisheries law to advise you on important matters affecting your fishery.
- A large selection of factsheets covering a range of important legal issues.
- An indemnity against all legal costs incurred until recovered from a defendant
- Protection of the Fish Legal 'fighting fund', built up from member subscriptions, donations and legacies over many years. In the unlikely event that we take your case on and lose, we can pay the legal costs of the other side for you.
- Full costs of barristers and expert scientists covered if we decide they are necessary for us to fight your case.

Do you provide commercial legal services?

No, we only specialise in environmental and fisheries law for our members. There are areas where our expertise crosses over in some other areas, so we will try and help as much as we can.

Is membership worth the cost?

In comparison to the hourly rates charged by solicitors advising in private practice, and the huge costs involved in taking civil claims to trial at court, we believe you are getting an excellent deal. The price paid for an annual membership subscription is much less than the cost of a few hours of these legal services elsewhere, and membership removes the risk of paying the other side's costs if you lose a claim. It's very unlikely that you would find the particular expertise we have in our team at Fish Legal at another firm.

Not only that, but you are supporting the work we do for the benefit of anglers and the environment across the UK – supporting the greater good by taking on polluters and others who damage fisheries.

Fish Legal membership means you can rest assured in knowing you have someone to turn to if your fishery is damaged or polluted, or you need legal advice related to it. Why not fund FL membership by adding a small amount to your club member rates?



**FISH
LEGAL**

Over 60 years of fighting for our members.

- Fish Legal has recovered **around £1.5 million in damages** for its members since 2004.
- **Members receive 100%** of their compensation.
- Since 1948, it is estimated that the ACA (renamed in 2009 to Fish Legal) has fought thousands of claims on behalf of its members and has only ever lost four.
- We currently deal with between 250 – 350 advice files per year for members (excluding environmental claims)

Key Cases:

- Fish Legal's groundbreaking case against Yorkshire Water Services Ltd and United Utilities Plc (***Fish Legal and Emily Shirley v Information Commissioner, United Utilities Water plc, Yorkshire Water Services Ltd, Southern Water Services Ltd and the Secretary of State for the Environment, Food and Rural Affairs [2015] UKUT 0052 (AAC)***) secured a change in the law so that all water and sewage companies are recognised as 'public authorities' for the purposes of the Environmental Information Regulations 2004. This means that they are now legally obliged to disclose environmental information they hold to the public. This is the successful culmination of a six year legal campaign, involving a reference to the Court of Justice of the European Union for a preliminary ruling on the issue (Case C-279/12), and is a step towards greater transparency within the water and sewerage industry.
- Fish Legal established its reputation fighting pollution in its previous capacity as the Anglers' Conservation Association (ACA) in a case which appears in law student's textbooks: ***Pride of Derby and Derbyshire Angling Association Ltd v British Celanese Ltd [1953]***. Injunctions were issued against the operator of a sewage treatment works and an electricity company who were polluting the River Derwent. 60 years later it achieved another historic victory acting for the same club, securing an injunction against a multi-million pound hydropower development and saving a precious weir-pool on the River Trent in ***Pride of Derby and Derbyshire Ltd v Canal & River Trust and Small Hydro Company [2012]***
- Fish Legal fights tirelessly for access to information affecting fisheries for its members. The Information Commissioner has frequently ruled in favour of Fish Legal. For example, in **Decision Notice (FER0253026)**, he decided against the Environment Agency who argued that requesting monitoring and fisheries data on the River Test was 'manifestly unreasonable'. The Information Commissioner said that our attempts to access this data in order to take "*proactive steps to ascertain risks and dangers to the river prior to further incidents occurring*" was "*an example of the environmental information regulations being used to 'best effect'*".



What our members say:

"I can't thank you enough for the help and support during this time. Any club not in Fish Legal do themselves and their members poor justice as we could never have managed without your expertise in this area."

"I am writing to say how grateful I am that an organisation like yours exists! I have been trying to get the authorities to take action on this case for a very long time and have even set up a website page to highlight the issue. Environmental protection in Northern Ireland is very poor, and this sort of case needs to be vigorously pursued if we are to make progress."

"As a committee we would like to thank you for all your work for the club over the years and stress that without Fish Legal we would not exist."

"Thank you all for looking after angling, and in this case us."