

# **Hertfordshire Independent Stop and Search Scrutiny Panel**

## **Annual Report 2023/24**



**Police & Crime  
Commissioner**  
FOR HERTFORDSHIRE

## Chair's Foreword



It is my pleasure to present this annual report to the Hertfordshire community.

As our newly elected Police and Crime Commissioner Jonathan Ash-Edwards takes office, I extend my gratitude to his predecessor, David Lloyd. Under his tenure, the Panel made significant strides in independently scrutinising stop and search practices in Hertfordshire. We look forward to building on this progress in the years ahead.

For those who live and work in the "County of Opportunity", effective policing is essential to our daily lives and wellbeing. Stop and search, when executed properly, is a powerful tool for deterring and preventing crime. It can build public trust and confidence in law enforcement.

The Hertfordshire Independent Stop and Search Scrutiny Panel has been a pioneering force since its formation a decade ago, making it one of the first of its kind in England. During this time, Panel members have scrutinised over 3,300 stop and search records from across the county. This oversight promotes accountability, effectiveness, and high professional standards within our police force. Whilst the Panel has evolved and developed over time, the core objective of the Hertfordshire Stop and Search Scrutiny Panel remains committed to independent and unfettered scrutiny, including reviewing Officers' Body Worn Video (BWV) footage.

In the coming year, I would like the Panel and Office of the Police and Crime Commissioner (OPCC) to redouble their efforts on increasing community awareness and involvement of the wider public in its vital scrutiny work. Raising public awareness is absolutely crucial for fostering broader and more diverse participation in the scrutiny process, which in turn enhances trust in the Constabulary. This trust is vital for effective community engagement and upholding the UK's policing by consent model.

Increasing public awareness of and involvement in the Panel's work will require a strategic communication plan, which the Panel will support the OPCC to develop and deliver. A clear communication strategy should include:

1. Effective use of social media
2. Encouraging support from employers offering volunteering days.
3. Combined online/in-person meetings whenever practical.
4. Greater opportunities for younger volunteer panel members.
5. Rollout of 'mock panels' to recreate the scrutiny process and as way to promote the Panels and encourage people to join.

In the past year, we have focused on implementing the OPCC's Health Check recommendations. These recommendations emphasise the need for a wider cross-section of society to participate in scrutiny, considering community, demographic, and geographical perspectives, as well as incorporating diverse lived experiences. We have made good progress, and the aim in the coming year will be to complete implementation of the recommendations. Our plans include organising meetings in more locations to increase accessibility, particularly for younger people. Growing the diversity and overall size of the panel membership from its existing 22 members will also enable the

Panel to carry out a greater volume of scrutiny - including reviewing more BWV footage which, whilst time-intensive, is essential for thorough oversight.

And I would remind all readers of this report that our meetings are open to any member of the public who wishes to attend as a guest observer. Anyone who would like to observe a meeting can contact the OPCC for further details including dates and locations.

On 12 December 2023, the Panel received the long-anticipated report from the University of Hertfordshire on stop and search disproportionality. The report included data which identified evidence of disproportionality. As a result, the Panel identified some key actions to advance its future scrutiny and improve our understanding of disproportionality:

1. Adopting a more targeted, data-influenced approach to panel scrutiny.
2. Strengthening the Panel's feedback and monitoring loops with the Constabulary.
3. Asking the Constabulary a set of questions on what action it intends to take in response, notably around the areas of possible discrimination identified in the report.

This work will be taken forward at pace so that scrutiny of disproportionality becomes a permanent element of the Panel's work.

The Panel has been instrumental in establishing a structured framework to obtain detailed and timely feedback and accountability from Hertfordshire Constabulary. This has led to direct influence on the Constabulary's standard operating procedures and improvements in officer training. The Panel has widened its scrutiny activities to include all under 18 strip searches and Section 60 authorisations, in line with best practice, and continues to influence Constabulary policy and practice. The Panel has, for example, continued to highlight the fact a proportion of stop and search records it reviews are cut and pasted, and the number of such records has now markedly decreased. This is evidence that the Panel has a real and positive impact on stop and search practice in Hertfordshire.

This was borne out in His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) report on Section 60 published in December 2023, which highlighted Hertfordshire's Stop and Search Scrutiny Panel as a case study in best practice and an innovative example of a partnership approach to independent scrutiny of stop and search. The Panel will continue to develop and improve its feedback processes in the coming year, as we strive to further enhance the transparency, accountability, and effectiveness of policing in Hertfordshire.

On behalf of the Panel, I would like to thank the staff at the OPCC for their support over the past year. It is thanks to their hard work in organising our meetings that the Panel is able to conduct such effective and thorough scrutiny. I would also like to thank my fellow Panel volunteers for their continued commitment to the work of the Panel and the invaluable support they provide me in my role as Chair. A note of thanks to Vice Chair, Mohammed Islam-Ruman, who brings support and experience to me and the Panel, which is much appreciated. A special note of thanks also to Alexander Allen, the Panel's inaugural Data Champion, who led on establishing the Data Sub-Group, along with setting the Key Performance Indicators which are so important in monitoring the Constabulary's performance and measuring outcomes.

And last but by no means least, we are very grateful to the Constabulary for the outstanding level of support and transparency they continue to provide to the Panel. It is this professional and supportive relationship which enables the Panel to deliver effective and unfettered scrutiny and we look forward to continuing to build on the progress made in the year ahead.

**Demitrius Nurse**

**Chair of the Hertfordshire Independent Stop and Search Scrutiny Panel**

## **Police and Crime Commissioner's Foreword**



External scrutiny is vital to upholding police legitimacy and public confidence in the police. As the new Police and Crime Commissioner for Hertfordshire, it is clear that external scrutiny arrangements are well embedded.

I support the proportionate, lawful, justified and respectful use of stop and search as an important tool for police officers to disrupt criminality and keep Hertfordshire residents safe. It is essential that police officers feel confident in using their powers when justified, and external scrutiny plays a valuable role.

The Stop and Search Scrutiny Panel is the longest-standing Panel managed by my office and continues to go from strength to strength as it marks its tenth year in operation. I was particularly pleased to see that the Panel's work has again been recognised by HMICFRS, which highlighted in its recent Section 60 report that Hertfordshire's Stop and Search Panel is a case study in good practice and an example for other force areas to follow. This is testament to the excellent work of the Panel.

I am also encouraged by the strength and professionalism of the working relationship between the Panel and Hertfordshire Constabulary. It is clear that the Constabulary deeply value the quality of scrutiny provided by the Panel. The strength of the Panel's feedback loops with the Constabulary means that the Panel continues to have a real and positive impact on stop and search practices in Hertfordshire. This results in better policing for all those who live, work and study in our county. Everyone in Hertfordshire should be reassured by the key findings in the Panel's report, which indicate its position of confidence in records scrutinised was 74.9% (an increase on 66.1% in the previous year).

Disproportionality in stop and search rightly continues to be an important topic of debate, both nationally and in Hertfordshire, with more work to be done. My predecessor commissioned research from the University of Hertfordshire which provides useful insight and will inform the Panel's work. The Panel's decision to adopt a more data-influenced approach to its scrutiny has the potential to significantly enhance our understanding of disproportionality and I look forward to seeing the outcome of the Panel's vital work in this area.

I would like to thank the panel members for volunteering their time to the important work of the Stop and Search Scrutiny Panel. I look forward to working with its members in the coming years as it continues to strengthen the valuable support it provides to me in discharging my statutory duties.

**Jonathan Ash-Edwards**

**Police and Crime Commissioner for Hertfordshire**

## **Hertfordshire Constabulary's Foreword**



As the Senior Officer responsible for the oversight of the Use of Police Powers, I am pleased to note another positive annual report from the Stop and Search Scrutiny Panel. The work of the panel provides vital independent scrutiny and oversight of the Constabulary's use of powers to stop and search citizens.

Whilst these powers are a useful tool in fighting crime and keeping people safe, their use is not without risk in terms of public confidence. Indeed, the misuse or disproportionate use of search powers can negatively impact on communities and policing legitimacy.

Whilst we have no targets in relation to stop and search, I am pleased to note that we continue to work to target its use, ensuring we see the rates of positive outcomes and arrests maintained or improved. I am particularly pleased to note that this positive direction of travel is also matched with an increase in the panel's level of confidence, for those searches they review.

Finally, it is important to note that the work of the panel does not operate in a vacuum, indeed when the panel meets, we have in attendance supervisors and operational officers whose presence allows the panel to ask questions to inform its decision-making, and allows operational officers to see the work of the panel, feed back to their peers and inform and improve operational practice.

We are lucky to have the panel in place, acting as an independent 'critical friend' representing the communities of Hertfordshire and holding the Constabulary to account. I look forward to continuing this work with the panel in the coming year.

**Chief Superintendent Dean Patient**

**Chair of Hertfordshire Constabulary's Police Powers Board**

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## EXECUTIVE SUMMARY

### Key findings

- This year, Hertfordshire Constabulary conducted 6,617 stop and searches - a decrease of 5% on last year. This is part of a general historical downward trend in volumes of stop and search through improved intelligence-led stops. 1,286 (19%) of searches resulted in an arrest - a 1% increase in the arrest rate on last year. This is the highest stop-to-arrest ratio at any point in the last decade.
- The positive outcome rate for the county was 35% - an increase of 4% on last year.
- Eight Community Safety Partnerships (CSPs) saw improvements in positive outcome rates compared to last year. Only St Albans and North Herts observed small decreases in positive outcome rates (of 0.2% and 3% respectively).
- Welwyn Hatfield continues to have the highest positive outcome rate of all CSPs, increasing from 38% last year to 43% this year.
- 433 dip-sampled stop and search records were scrutinised by the Panel this year. This represents 6.8% of all available records, which is an improvement on last year (4.9%). It also represents a 27.7% increase in the number of records scrutinised by the Panel on last year.
- The Panel's position of confidence in records scrutinised was 74.9% (an increase on 66.1% in 2022/23 and 66% in 2021/22).<sup>1</sup>

### Key achievements

- The Panel has continued its scrutiny role through regular meetings, increasing the proportion of total stops scrutinised this year on last.
- The Panel has reviewed one Section 60 authorisation and 32 pieces of Body Worn Video (BWV) footage during the year.<sup>2</sup> It has also reviewed all under 18 strip searches, in line with the recommendation made by the Children's Commissioner for England.<sup>3</sup>
- The Panel has reviewed the research undertaken by the University of Hertfordshire on stop and search disproportionality and agreed how it will use its findings to inform and improve its scrutiny and wider understanding of this vital issue.<sup>4</sup>
- Panel members have taken up a multitude of training opportunities throughout the year, including refresher training, observation of officer training, and 'Ride Alongs' with the Constabulary.
- Panel members have provided invaluable support to the Office of the Police and Crime Commissioner (OPCC) in the ongoing implementation of the Health Check recommendations, an OPCC-commissioned review of the governance and operation of its scrutiny panels. In parallel, the Panel has continued to adopt the Home Office's draft National Guidance for Community Scrutiny Panels to ensure that it meets or exceeds national best practice wherever possible. Progress made this year provides a strong

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<sup>1</sup> The Panel's grading system was updated and improved mid-year, from the 'Confident/Not Confident' model used in previous years to a RAG (Red-Amber-Green) grading system – please see Appendix E for more detail.

<sup>2</sup> Body Worn Video (BWV) is camera footage that refers to video captured by cameras worn by police officers and Special Constables.

<sup>3</sup> <https://assets.childrenscommissioner.gov.uk/wpuploads/2023/03/cc-strip-search-of-children-in-england-and-wales.pdf>

<sup>4</sup> The OPCC commissioned the University of Hertfordshire to produce a report on stop and search disproportionality in Hertfordshire. The report is published on the OPCC website here: <https://www.hertscommissioner.org/news/latest-news/2024/pccs-welcomes-insights-from-stop-and-search-disproportionality-report/>



foundation on which to continue enhancing the breadth and depth of the Panel's scrutiny over the course of the next year.

- In line with the Health Check recommendations, Panel meetings have been hosted at different external locations across the county, helping to build positive working relationships with partner organisations and facilitate attendance and participation in meetings by Neighbourhood Policing Teams across CSPs.
- A total of 40 Officers (3 Inspectors, 27 Sergeants and 10 Police Constables) have observed Panel meetings over the course of the year to assist their understanding of scrutiny practices and how the public observe stop and search practices, supporting officer training and development. Their feedback has been very positive, and they have contributed helpful operational advice in support of the Panel's scrutiny work.

### **Recommendations for the year ahead (April 2024 – March 2025)**

- Building on the findings from the University of Hertfordshire's report on stop and search, ensure disproportionality becomes a routine area of scrutiny.
- Adopt a more data-influenced approach to scrutiny work, making more sophisticated use of PowerBI to understand trends and anomalies and identify issues requiring further investigation – and tracking progress over time.
- Deliver a communications strategy spanning the OPCC's scrutiny panels to increase community awareness of and involvement in the panels' work.
- Find effective ways to deliver a more diverse Panel membership by ethnicity, age and those with lived experience of police activity.
- Continue to identify public venues for meetings to maximise opportunities for members of the public to observe the Panel's work; and work to establish effective, practical hybrid meeting options to help attract and retain younger, more diverse panel members.
- Continue to increase the sample size of BWV scrutinised at meetings.
- Work with the OPCC's Complaint Resolution Team (CRT) to understand how its rich data sets can be used to inform and advance areas of Panel scrutiny.
- Continue to implement the Health Check recommendations and adopt the Home Office's draft National Guidance for Community Scrutiny Panels to ensure that the Panel aligns with national best practice.

## Become a Member of the Stop and Search Scrutiny Panel!

We continue to recruit for new Members! As a Panel Member you would:

- **Attend and participate in Panel meetings.** Meetings last for 2.5 hours and are currently held mostly in person, during the day, across the county. Our ambition is to make Panel Meetings as flexible and inclusive as possible, and we continue to develop optimum online and hybrid options.
- **Be offered training to support your scrutiny,** including the opportunity to go on a Ride Along with police officers.
- **Be paid travel expenses.** Whilst this is a voluntary role, the OPCC meets any reasonable travel expenses incurred by Panel members.

We welcome applications from anyone who lives, works or studies in Hertfordshire. The OPCC is particularly interested to hear from younger people and those from Black, Asian and Minority Ethnic communities.

If you are interested in finding out more about becoming a Panel Member, please email Susan McNeill at the OPCC: [susan.mcneill@herts-pcc.gov.uk](mailto:susan.mcneill@herts-pcc.gov.uk)

## 1. Introduction

This report summarises the work undertaken by the Hertfordshire Independent Stop and Search Scrutiny Panel (hereafter referred to as the 'Panel') between 1 April 2023 and 31 March 2024.<sup>5</sup>

The Panel's assessments and feedback inform individual and organisational learning and development, and improvement in stop and search practices. This supports efforts to improve transparency and enhance public confidence in the Constabulary's ethical and lawful use of stop and search powers.

This report reflects on the work of the Panel's scrutiny function, including the random sampling and assessment of stop and search records, monthly and trend summary data, BWV, Section 60 authorisations, and under 18 strip searches.<sup>6</sup> It also assesses the Panel's development over the year and outlines next steps to continue strengthening its scrutiny function over the coming year.

This report uses the most recent data available to the Constabulary on PowerBI. Since last year's annual report was published, PowerBI has been updated and the total number of stop and searches for 2022/23 has increased slightly from 6,949 to 6,958.<sup>7</sup>

A glossary is included on page 41 to explain some of the terminology used in the report.

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<sup>5</sup> During the reporting period, the Panel met every month to review the preceding month's activity. Therefore, this report covers the Constabulary's stop and search activity from 1 March 2023 to 29 February 2024.

<sup>6</sup> Section 60 of the Criminal Justice and Public Order Act 1994 gives officers the right to search individuals within a specified locality, without any grounds for suspicion, in circumstances in which incidents involving serious violence may take place.

<sup>7</sup> This is due to additional records being uploaded to the system after the data for a period has been compiled.



*Panel members at their meeting in April 2024 at the Joint Emergency Services Academy in Stevenage*

### **Profile of Hertfordshire**

- Hertfordshire is a large county stretching from Cambridgeshire and Bedfordshire to the north to the outskirts of London in the south. It borders Buckinghamshire to the west and Essex to the east.
- Hertfordshire has a population of 1,204,588. 28.2% of residents are from an ethnic minority compared to 26.5% in England as a whole.
- Urban areas make up around a third of Hertfordshire by area and account for around 89% of the population. There is no single dominant large urban centre. In total, there are 40 settlements with 4,000 or more residents in each.
- Hertfordshire Constabulary has Neighbourhood Policing Teams which operate in each of the ten Community Safety Partnerships. These represent the ten local district and borough councils: Dacorum, East Herts, North Herts, Welwyn Hatfield, Broxbourne, Hertsmere, Watford, Three Rivers, St Albans, and Stevenage.
- Hertfordshire has lower crime levels than the national average: 64.6 crimes per 1,000 residents compared to 82.2 in England (Feb 2023 – Jan 2024). However, levels of antisocial behaviour incidents are higher: 21.3 per 1,000 residents compared to 14.7 in England (Feb 2023 – Jan 2024).

See [HertsInsight](#) (ONS Census 2021 Data, ONS mid-2022 population estimates, April 2024) for references and more information.

## 2. Background

### National Guidance

In 2014, the then Home Secretary introduced the Best Use of Stop and Search Scheme (BUSS) in response to concerns about police compliance with the Police and Criminal Evidence Act (PACE) 1984 Code of Practice A.<sup>8</sup> The intention was to significantly reduce the use of stop and search, encourage more intelligence-led stop and searches, and improve stop to arrest ratios. BUSS remains in use and was last updated by the Home Office in 2021.<sup>9</sup>

In 2016, the College of Policing published its Authorised Policing Practice (APP) for Stop and Search.<sup>10</sup> The APP is based largely on the provisions of PACE Code A, alongside the BUSS and recommendations from reviews of stop and search carried out in recent years by His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), the Equality and Human Rights Commission and the All Party Parliamentary Group for Children. Mandatory content in the APP that is based on Code A is legally binding. The APP was last updated in 2018.

### Stop and Search in Hertfordshire

In August 2014, Hertfordshire Constabulary signed up to the original BUSS reforms, including measures to allow stop and search records to be scrutinised by community representatives through independent external scrutiny. Recognising the need for independent scrutiny and oversight, the Constabulary approached the OPCC to establish an external independent scrutiny panel. Following scoping work in November 2014, the OPCC set up the Panel in 2015.

The Panel's remit was to provide a voice for community concerns; and to help inform and influence police training around stop and search practices. The Panel today provides clear and transparent information for both Constabulary and community benefit; and enhances public confidence in police performance. This was borne out in the most recent HMICFRS Peel Inspection, published in February 2023, which found that Hertfordshire Constabulary has effective independent panels that scrutinise the Constabulary's use of stop and search.<sup>11</sup> HMICFRS' report on Section 60 and community scrutiny of stop and search, published in December 2023, highlighted Hertfordshire's stop and search scrutiny arrangements as "an example of innovative practice of a partnership approach to the independent community scrutiny of stop and search."<sup>12</sup>

The Panel's work is complemented by multiple additional strands of stop and search scrutiny undertaken by the Constabulary and external partners. The Constabulary's Police Powers Board, which meets quarterly and is chaired by a Chief Superintendent, has strategic oversight of the use of police powers, including the legitimate use of stop and search, and is attended by the Chairs of the OPCC's Scrutiny Panels. The Constabulary's Race Inclusion Board meets every month with

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<sup>8</sup> In 2014, His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) reported that 27% of stop and search records they examined did not contain reasonable grounds to search people, even though many of the records had been endorsed by supervising officers.

<sup>9</sup> [Best use of stop and search scheme - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/best-use-of-stop-and-search-scheme)

<sup>10</sup> [Stop and search | College of Policing](https://www.collegeofpolicing.org.uk/stop-and-search)

<sup>11</sup> PEEL 2021/22 An Inspection of Hertfordshire Constabulary, HMICFRS, p.10

<https://www.justiceinspectors.gov.uk/hmicfrs/publications/peel-assessment-2021-22-hertfordshire/>

<sup>12</sup> [Report on the Criminal Justice Alliance's super-complaint: Section 60 of the Criminal Justice and Public Order Act 1994 and independent community scrutiny of stop and search \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/114444/report-on-the-criminal-justice-alliance-s-super-complaint-section-60-of-the-criminal-justice-and-public-order-act-1994-and-independent-community-scrutiny-of-stop-and-search.pdf)

senior officers and members of Black communities in Hertfordshire to oversee different areas of work around race and inclusion, including stop and search disproportionality. In addition, the Constabulary's Operational Strategy team undertakes internal dip-sampling of stop and search records, whilst supervisors dip-sample their officers' encounters to assess BWV and recorded grounds for stops. These activities combined mean that Hertfordshire has a robust and multi-faceted approach to scrutiny of use of police powers including stop and search.

### 3. Health Check

Significant progress (see Appendix B for further detail) has been made this year in implementing the recommendations made by the independent Health Check of the governance and operations of the Stop and Search Scrutiny Panel (and Use of Force Scrutiny Panel), undertaken on behalf of the OPCC by Att10tive Social Enterprise.<sup>13</sup>

The Health Check concluded that in Hertfordshire the foundations and framework are in place to provide effective scrutiny and oversight of police powers. It identified areas of good practice and made recommendations for further areas of development. Those areas of development have been progressed at pace, but there is still more to do and further progress will be a key priority for the year ahead.

In particular, there will be a resolute focus on raising community awareness of, and involvement in, the work of OPCC scrutiny panels and continuing efforts to broaden the diversity of the Panels' membership by age, ethnicity and lived experience of the criminal justice system. These objectives will be delivered by a coherent, unified communications strategy sitting across all the OPCC's scrutiny panels. The Panel recognises that improving diverse attendance and membership must go hand-in-hand with considering what format panel meetings take in future. Meetings held during the day in a formal classroom setting will not always appeal to younger people and those with different work commitments.

### 4. Panel Membership and Leadership

The Panel's work has benefited from consistency in leadership and membership this year. Demetrius Nurse continues to serve as Chair of the Panel, with his initial two-year term running to April 2025. Mohammad Islam-Ruman continues to serve as Vice Chair. Alexander Allen recently stepped down as Data Champion for the Panel and a new appointment will be made shortly.

As of April 2024, the Panel has a total membership of 22 members, all of whom live, work or study in Hertfordshire. Over the course of the year, five members have retired from the Panel and seven new members have joined. The OPCC continues to advertise for and recruit new members on an ongoing basis. We have removed barriers that may prevent people with lived experience from participating in scrutiny panels, such as eliminating the requirement to go through formal police vetting to become a member, and we continue to explore ways to make panel membership as accessible as possible to the widest demographic.

In line with the Health Check recommendations, a coordinated approach to recruitment for the Stop and Search and Use of Force Panels was developed and delivered in the latter half of 2023.

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<sup>13</sup> Att10tive Social Enterprise <https://att10tive.com/>

Whilst that campaign generated significant interest in the Panels and attracted new and valued members, it did not significantly shift the dial in terms of diversity of membership.

Addressing this point will be an absolute priority in the coming year. Delivering diversity through recruitment will be a key tenet of the communications strategy described in the section above. In order to adopt a more proactive approach to recruitment, the OPCC has developed a ‘mock panel’ model that will be delivered in colleges and educational settings to bring to life the scrutiny process and engage proactively and directly with young people from less well represented communities throughout the county.

It is the Panel’s target to reflect the demographics within Hertfordshire and we will continue to pursue a recruitment strategy that delivers as far as possible a Panel membership which echoes the thriving diversity in our county.

The following table provides a breakdown of Panel membership by gender, age and ethnicity compared against Hertfordshire’s 2021 Census data:

Category	Panel	2021 Census <sup>14</sup>
<b>Gender</b>		
Female	45.5%	51%
Male	54.5%	49%
<b>Age</b>		
16 – 24	4.5%	9.4%
25 – 39	0%	19.9%
40 – 54	18.2%	21.3%
55 – 70	40.9%	17.2%
70+	36.4%	12.5%
<b>Self-defined Ethnicity</b>		
White	81.8%	81.8%
Asian/Asian British	4.5%	8.6%
Mixed or Multiple Ethnic Groups	9.2%	3.8%
Black, Black British, Caribbean, or African	0%	3.7%
Other Ethnic Group	0%	2.1%
Prefer not to say	4.5%	

<sup>14</sup> ONS Census 2021 Hertfordshire: <https://www.ons.gov.uk/visualisations/areas/E10000015/>



*The Panel's March 2024 meeting in progress*

## 5. Panel Training

We have continued to evolve and widen the training offer to Panel members this year. Before attending their first meeting as a Panel member, each member is required to undertake a mandatory training session which is jointly designed and delivered by the OPCC and the Constabulary. The training session gives Panel members the information required to conduct informed and effective scrutiny, providing them with an understanding of:

- Key national legislation around stop and search including PACE Code A, including what does and does not constitute reasonable grounds for a stop and search.
- Section 60 and Sections 10/11, including how these are addressed by the Panel in its scrutiny.
- Police procedure for stop and search, including GOWISELY and Hertfordshire Constabulary Standard Operating Procedure (SOP) for written records.
- Panel governance and organisational arrangements for the Panel.
- The record selection and scrutiny processes, including the RAG grading system and what is expected of Panel members during meetings.
- The Panel's feedback loop with the Constabulary and the impact of its scrutiny on policing practice.
- The complaints process for stop and search, including how feedback and learning from the OPCC's complaints team is reported into the Panel on a quarterly basis.

When this training package is delivered to new members, it is also offered as a matter of course to all existing members as a refresher training opportunity. This helps maintain and further develop

members' understanding of police powers and ability to critically challenge and scrutinise the Constabulary's stop and search data.

Panel members are also encouraged at any point in their membership to participate in the Constabulary's Ride Along scheme, giving members the opportunity to join officers on patrol and experience daily policing first-hand to provide them with the operational context in which stop and searches are conducted across different scenarios. With the help of the Constabulary, the Ride Along application process for Panel members was streamlined this year, significantly reducing wait times between submitting an application and participating in the scheme.

We continue to work with the Constabulary to identify opportunities for Panel members to attend and observe officer training, not just for stop and search but for relevant wider topics such as Bias training. In December 2023 and January 2024, members from all OPCC Scrutiny Panels had the opportunity to attend 'Impact of Bias' training being delivered to frontline officers in Neighbourhood Policing Teams. This gave members additional insight into the training officers receive around how bias training is being used to minimise the impact of any assumptions, biases, or stereotyping and how that can impact decision-making in policing. Feedback from Panel members was extremely positive.

In line with the Health Check recommendations, the OPCC continues to explore how we can continue to improve and widen the training offer to Panel members to give them the best possible grounding to fulfil their scrutiny role effectively. This includes exploring what potential value might be added by external training providers to supplement what is already delivered in-house by the OPCC and Constabulary.



### **What is a Stop and Search?**

When an officer stops you or your vehicle and searches you, your vehicle, or anything you are carrying.

Powers to stop and search must be used fairly, responsibly, with respect for people being searched and without unlawful discrimination.

### **What is the purpose of Stop and Search?**

To enable officers to eliminate or confirm suspicions that an individual may be in possession of stolen or prohibited items, without exercising their power of arrest, and to provide safeguards for those who are searched.

### **What is reasonable suspicion?**

Reasonable grounds for suspicion is the legal test which an officer must satisfy before they can stop and detain individuals or vehicles to search them. Reasonable grounds for suspicion will depend on the circumstances of each case.

There must be an objective basis for that suspicion to be based on facts, information, and/or intelligence that are relevant to the likelihood of finding an article of a certain kind. Reasonable suspicion can never be supported on the basis of personal factors. It must rely on intelligence or information about, or some specific behaviour by, the person concerned.

An officer has powers to stop and search you if they have 'reasonable grounds' to suspect you are carrying:

- illegal drugs
- a weapon
- stolen property
- something which could be used to commit a crime.

## **6. Meetings**

Terms of Reference (ToR) are in place to guide the work of the Panel. As part of the implementation of the Health Check recommendations, these were reviewed and updated in 2023 to ensure absolute transparency around the remit, membership, governance, and types of scrutiny activity undertaken by the Panel. The revised ToR are published on the OPCC website.<sup>15</sup>

A Superintendent, Chief Inspector, Inspector and Sergeant (or combination thereof) from Hertfordshire Constabulary's Strategy, Performance and Transformation Department is present at all meetings to answer operationally specific questions from the Panel. In addition, CSP Chief Inspectors are invited to attend meetings during which stop and search records and BWV footage from their areas are reviewed during "deep-dives". They are accountable for any issues and

<sup>15</sup> [ss-panel-terms-of-reference-oct-23-2024.pdf \(hertscommissioner.org\)](#)

concerns identified that are linked to their own CSP. As the Panel continues to conduct meetings at different venues across the county, Sergeants and PCs from Neighbourhood Policing Teams are invited to attend meetings as a matter of course to observe and understand the work of the Panel. Feedback from attending officers continues to be extremely positive.

As previously stated, the Panel met monthly during the reporting period to review the preceding month's activity. Therefore, this report reviews the Panel's activity from 1 April 2023 to 31 March 2024, correlating to the Constabulary's own stop and search activity from 1 March 2023 to 29 February 2024.



*Panel members scrutinising BWV of stop and searches as officers observe*

Whilst Panel meetings follow an established format, they continue to evolve when required, reflecting the maturity of the Panel and its aim to always develop and strengthen the breadth, depth and impact of its scrutiny activity. Beyond standing agenda items (welcome, apologies, minutes and actions), the bulk of meeting time is dedicated to scrutiny in order to maximise the sum of scrutiny undertaken over the course of the year.

Appendix C sets out the totality of scrutiny processes which are undertaken at Panel meetings. At each meeting, the Panel dip-samples a selection of stop and search records. They will also assess the monthly summary data, in addition to scrutinising as a matter of policy a selection of BWV footage, all Section 60 authorisations, and all strip searches of a child (in line with recommendations made by the Children's Commissioner for England).<sup>16</sup>

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<sup>16</sup> [Strip search of children in England and Wales | Children's Commissioner for England \(childrenscommissioner.gov.uk\)](https://www.childrenscommissioner.gov.uk)

Countywide data was reviewed at each meeting in the reporting period. In addition, the following themes/scrutiny were undertaken by the Panel:

<b>Scrutiny undertaken over the last year</b>	
June 2023: Under 18 strip searches	December 2023: Under 18 strip searches
September 2023: Under 18 strip searches	March 2024: Under 18 strip searches
November 2023: Section 60, Three Rivers	

A well-established feedback loop between the Panel and the Constabulary continues to operate effectively, meaning that the work and views of the Panel have a direct and meaningful impact on the training and performance of officers on the ground. Following each meeting, all the Panel’s scrutiny feedback is circulated to the relevant senior officers in the Constabulary, including the Chief Inspectors of the Local Policing teams and Professional Standards Department (PSD). Feedback is provided direct to individual officers, and where appropriate is also used to inform future training activities. The Constabulary representative at meetings then reports back to the Panel on agreed courses of action for individual incidents, to complete the feedback loop. In rare cases involving serious misconduct, procedures are in place to enable the Panel to refer an incident directly to PSD. Appendix D illustrates the feedback loop between the Panel and the Constabulary.

## 7. Key Findings

### Stop to arrest ratio

In 2014, in line with national guidance, Hertfordshire introduced a package of reforms as recommended by the then Home Secretary to make stop and searches more intelligence-led and improve the stop to arrest ratio.<sup>17</sup> Figure 1 illustrates how over time the number of stop and searches in Hertfordshire has reduced in parallel to an improvement in the stop to arrest ratio.<sup>18</sup>

During this reporting period, Hertfordshire Constabulary conducted 6,617 searches - a decrease of 5% on the previous year. 1,286 (19%) of these searches resulted in an arrest - a 1% increase in the arrest rate on the previous year.

Hertfordshire is fifth out of eight forces in terms of the number of stop and searches conducted within their Most Similar Force area (compared to fourth in the previous reporting period), as defined by the Home Office (see Appendix A).

#### How does Hertfordshire compare to other areas?

Compared to the Most Similar Force Group\*, Hertfordshire is **fifth out of eight forces** in terms of the number of stop and searches conducted over the last year.

Within the Most Similar Force Group, Sussex has a comparable number of average monthly stops (539 compared to Hertfordshire's 545). However, Sussex has a 6.4% better arrest rate than Hertfordshire. For overall positive outcomes, Hertfordshire compares less favourably, 13.8% lower than Sussex (35.8% compared to Hertfordshire's 22%).

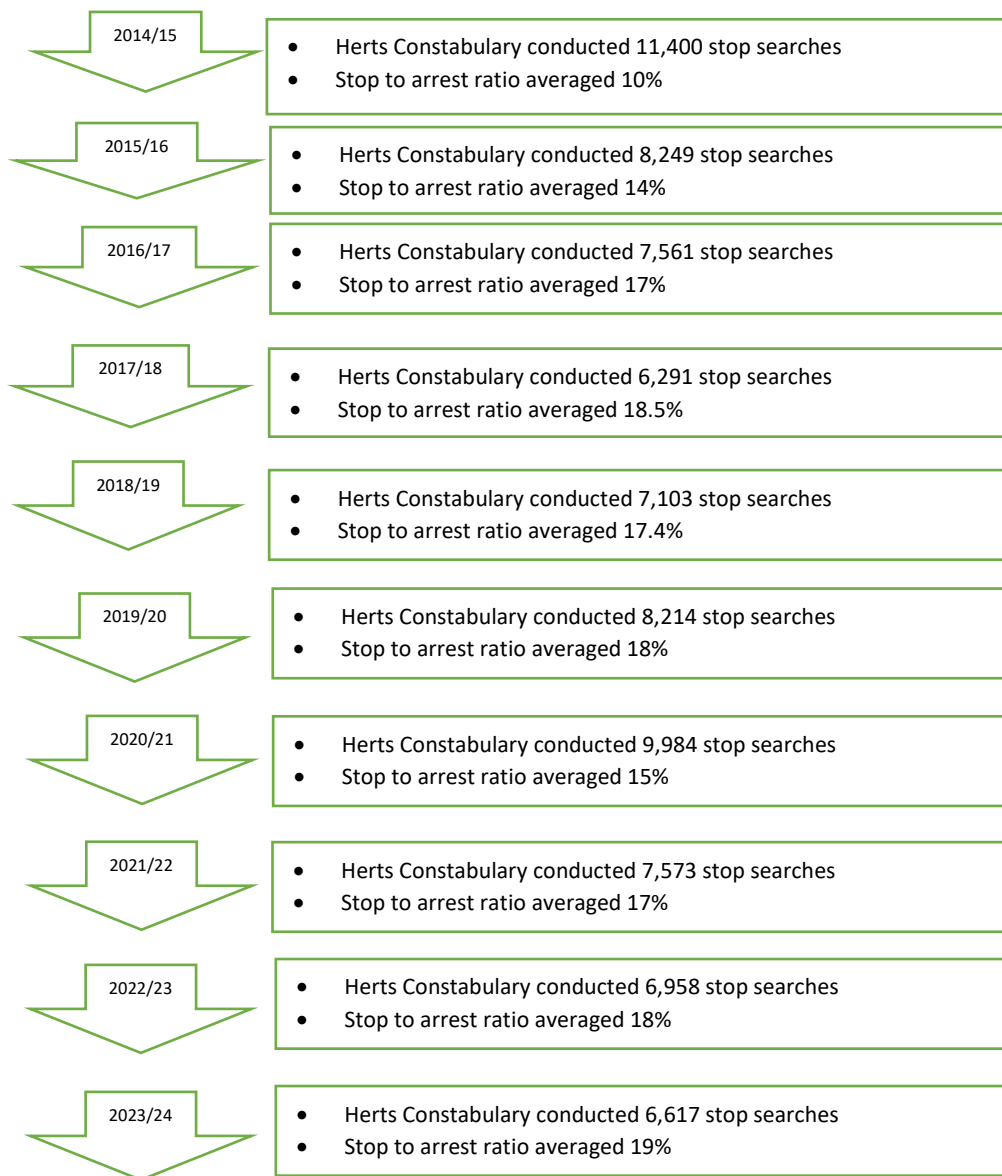
For more information, see Appendix A: Comparison of Stop and Searches figures from Hertfordshire and Most Similar Force areas (1 March 2023 – 29 February 2024)

*\*Most Similar Force Groups are determined by the Home Office. They are groups of police force areas that have been found to be the most like each other based on an analysis of demographic, social and economic characteristics relating to crime. For more information about Most Similar Force Groups and how they are formed, please see: [Data - His Majesty's Inspectorate of Constabulary and Fire & Rescue Services \(justiceinspectorates.gov.uk\)](https://www.justiceinspectorates.gov.uk/data-his-majestys-inspectorate-of-constabulary-and-fire-rescue-services/)*

<sup>17</sup> [stop-and-search-briefing-paper-for-police-and-crime-panel-2015.pdf \(hertscommissioner.org\)](https://www.hertscommissioner.org/stop-and-search-briefing-paper-for-police-and-crime-panel-2015.pdf)

<sup>18</sup> For 2022/23, the number of stop and searches conducted has been updated to reflect the latest available figures.

Figure 1: Stop and Search arrest ratio in Hertfordshire (2014/15 - 2023/24)



(source: PowerBI, accessed 24<sup>th</sup> April 2024)

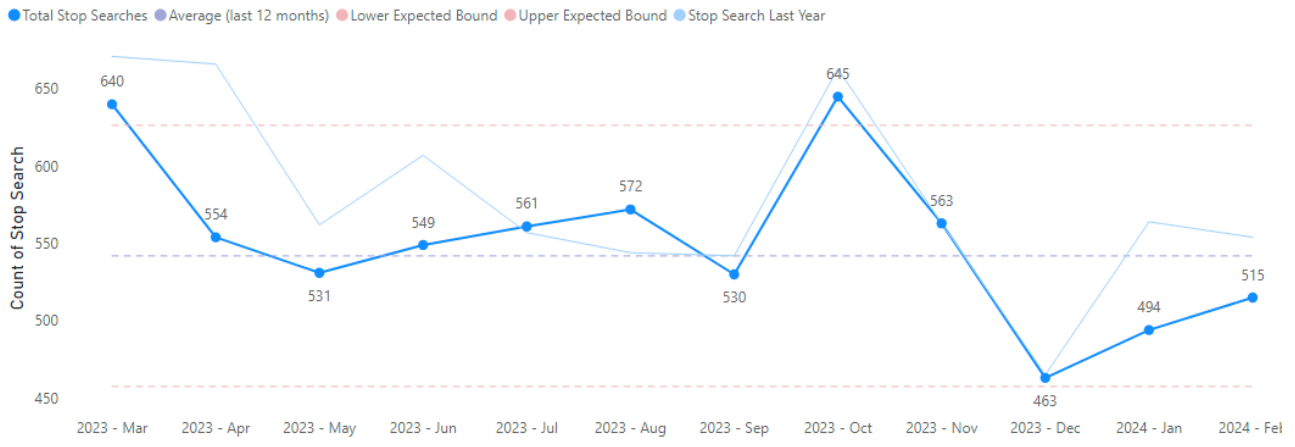
### Number of searches

The number of searches conducted per month has fluctuated from a low of 463 in December 2023 to highs of 640 in March 2023 and 645 in October 2023. Figure 2 indicates some seasonal correlation with the pattern of searches in the previous reporting period, notably in March and October. The number of searches conducted in March and October 2023 were marginally beyond the Constabulary’s modelled upper bound.

There are a range of factors which can lead to a stop and search taking place. These include reports from members of the public, police activity in the vicinity of a crime, a Section 60 being put in place, and credible, specific and recent intelligence that crime is affecting a defined area.

Figure 2: Stop and Search by month (2023 – 2024 compared to preceding year)

Stop Search by Month

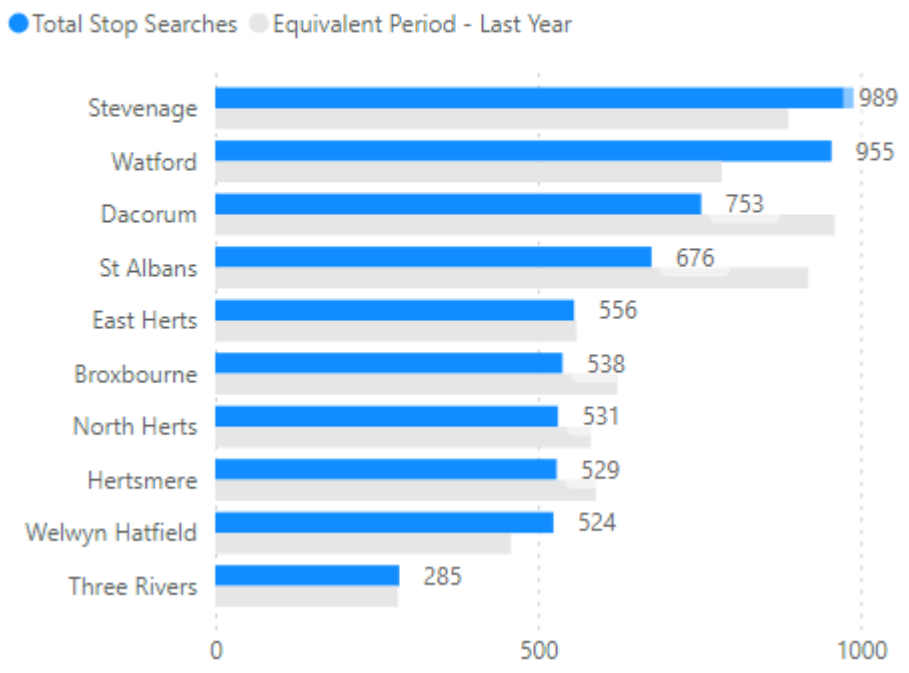


(source: PowerBI, accessed 24<sup>th</sup> April 2024)

Figure 3 shows the breakdown of stop and searches across the county’s ten CSPs. This year, Stevenage conducted the greatest number of searches (989), compared to 960 in Dacorum in the previous reporting period. As with last year, Three Rivers carried out the fewest searches compared to other CSPs (285, an increase of 3 on the previous year).

Figure 3: Stop and Search Volumes by CSP (2023 – 2024 compared to preceding year)

Stop Search Volumes by CSP



(source: PowerBI, accessed 24<sup>th</sup> April 2024)

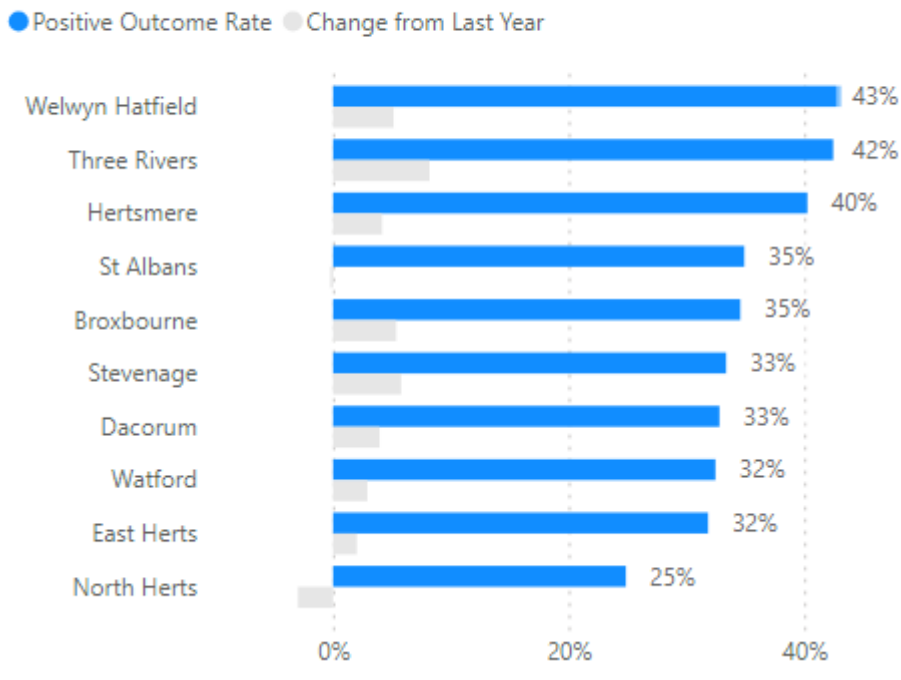
## Positive outcome rate

Positive outcomes include arrests, plus out of court disposals, such as community resolutions or conditional cautions, which negate the need for individuals to be formally processed through custody suites. The average positive outcome rate for the year was 35%, an increase of 4% on the previous year.

Figure 4 summarises the positive outcome rate across Hertfordshire’s ten CSPs. All CSPs saw increases in positive outcome rates compared to 2022/23, apart from St Albans and North Herts which witnessed small decreases in positive outcome rates of 0.2% and 3% respectively.

Figure 4: Percentage of total positive outcome rate by CSP (2023 – 2024 compared to preceding year)

### Positive Outcome Rate



(source: PowerBI, accessed 24<sup>th</sup> April 2024)

In the 2022/23 annual report, Dacorum was highlighted as having both the highest number of stop and searches and lowest positive outcome rate across the CSPs. This year, there has been a 21.6% decrease in the use of stop and search in Dacorum (placing it third amongst CSPs) and a parallel increase of 3.9% in positive outcomes (seventh compared to other CSPs).

All CSPs have seen decreases in the total number of stop and searches conducted compared to the previous year, except for Stevenage (an 11.4% increase, from 888 to 989), Watford (a 21.7% increase, from 785 to 955) and Three Rivers (a marginal increase from 283 to 285). Stevenage and Watford combined accounted for 29% of all stop and searches conducted in the county in 2023/24.

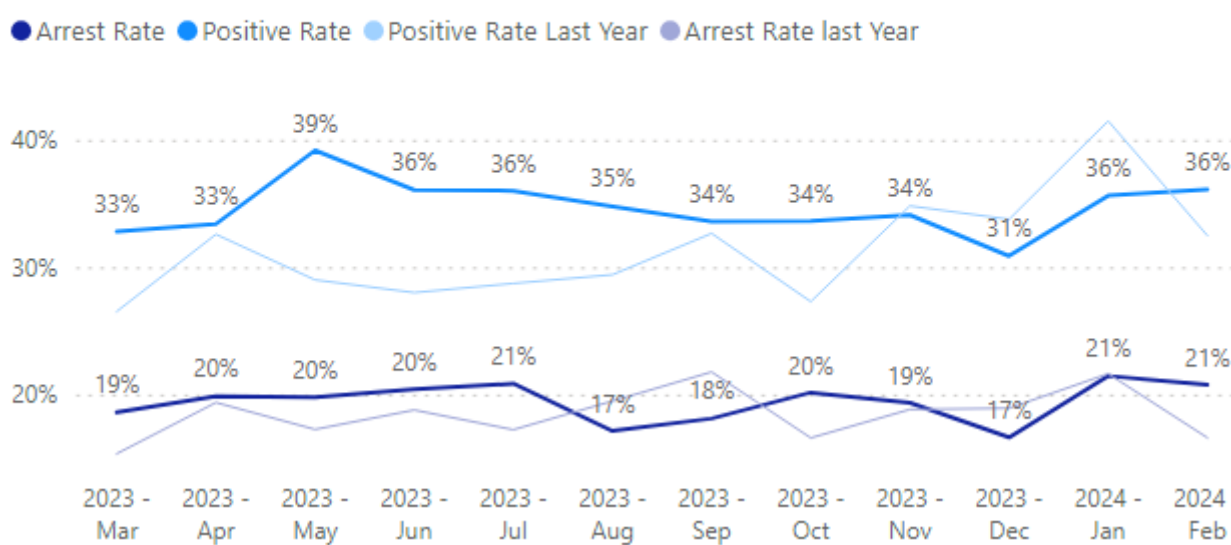
Of note was March 2023 when Watford accounted for 20% of the total number of stop and searches across the county.

### Number of arrests and positive disposals

Arrest rates following a stop and search this year have been relatively stable from month to month, fluctuating between 17% and 21%. Figure 5 indicates that positive disposal rates are broadly in line with arrest rates. It also shows that positive disposal rates have been higher each month this year compared to last except for the period November 2023 to January 2024.

Figure 5: Arrest Rate and Positive Disposal Rate (2023 – 2024 compared to preceding year)

### Arrest Rate and Positive Disposal Rate



(source: PowerBI, accessed 24<sup>th</sup> April 2024)

### Panel scrutiny of stop and search records

This year, 433 dip-sampled stop and search records in Hertfordshire were scrutinised. This represents a 27.7% increase in the number of records scrutinised by the Panel on last year. The Panel assessed 6.8% of all stop and search records available, compared to 4.9% in the previous year.<sup>19</sup> The records which the Panel review are taken from tuServ, the Constabulary’s recording system which officers can access whilst out on patrol. The Panel review the written grounds, the time and location of the search and the powers which have been used.

In line with the Health Check recommendations, the Panel has this year enhanced the strength of its scrutiny by implementing a RAG (Red-Amber-Green) grading system (see appendix E) for assessing stop and search records, moving away from the previous, more simplistic grading model of ‘Confident / Not Confident’. Whilst this change in assessment model slightly complicates the task

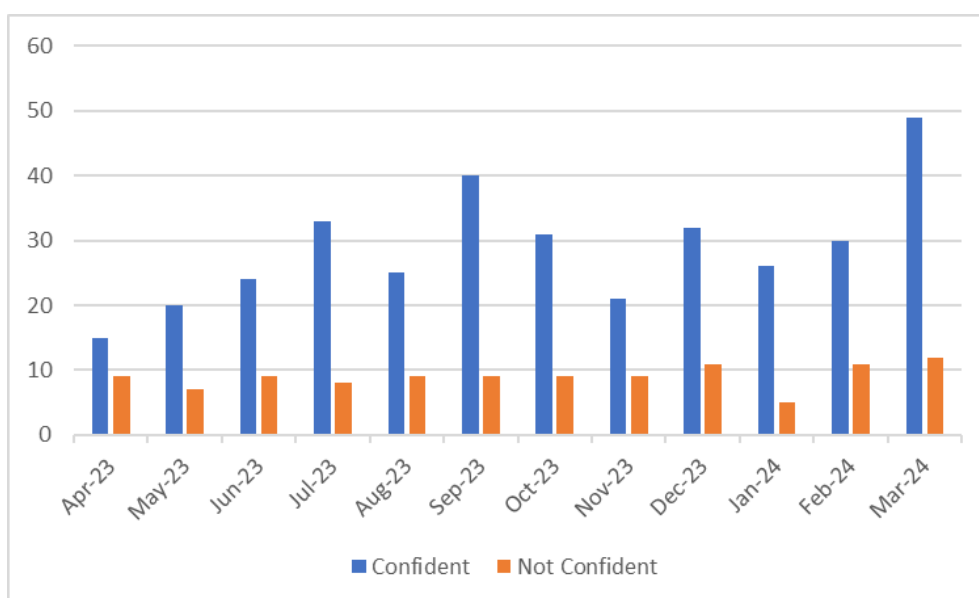
<sup>19</sup> The Panel scrutinises stop and searches that occur within the county, which this year accounted for 95.8% of all stops. Stops categorised as ‘Out of Force’, ‘Roads Policing’ and ‘Unknown’ are excluded from the dip-sampling process.



of comparing the Panel’s position of confidence with previous years, it does enhance the granularity and value of the Panel’s scrutiny. Crucially, it also delivers greater alignment with Hertfordshire’s Use of Force Scrutiny Panel, allowing for more meaningful comparison to be made between the two Panels’ assessments in the Constabulary’s exercise of police powers.

If we take Green 1 (Excellent) and Green 2 (Satisfactory) in the new RAG grading system to denote Panel confidence, we can say that the Panel’s position of confidence in the stop and search records (written records and BWV) scrutinised this year was 74.9% (an increase on 66.1% in 2022/23 and 66% in 2021/22).<sup>20</sup> For written records alone (to enable comparison with previous years when BWV was not reviewed by the Panel), the Panel’s position of confidence was 75.4%.

Figure 6: Panel Confidence Levels in Dip Sampled Records (by month)



(source: Panel scrutiny data, accessed 24<sup>th</sup> April 2024)

The key themes in records in which the Panel was not confident remain consistent with those reported last year, chiefly:

- Insufficient detail provided by the officer, particularly around time and location and chronology of events.

<sup>20</sup> As noted in this report, the Panel has this year increased the amount of BWV it scrutinises. Consequently, some stop and search incidents scrutinised by the Panel this year received two separate gradings (a grading for the written record, and a grading for the BWV). The Panel will look to increase further its scrutiny of BWV in the coming year.

- Mentions of 'intelligence' without explicitly defining how recent that intelligence is or how it is relevant to the individual who has been stopped, e.g. the record might not state how the individual matches the description given.

#### **Case Study of a record the Panel were not confident in**

First attending officer noticed a car full of males acting suspiciously and a strong smell of cannabis. Detained for Section 23 search

**Panel comments:** Not enough detail, smell of cannabis alone.

The smell of cannabis alone does not constitute sufficient grounds for a stop and search but continues to be recorded by officers in written records seen by the Panel. This suggests there is a need for the Constabulary to re-double its efforts to ensure this is embedded in the mindset of officers.

The Panel now scrutinises as a matter of policy all instances of under 18 strip searches conducted in the county, in line with the recommendation made by the Children's Commissioner for England. Findings from this aspect of its scrutiny raised concerns at one meeting where under 18 strip search incidents presented to the Panel lacked any Inspector rationale as to why the strip search had been approved. In response, the Constabulary amended its Standard Operating Procedure (SOP) guidance to officers to reduce the risk of this happening again. This is a tangible example of the Panel's work having a practical and positive impact on Constabulary policy and practice.

#### **Case Study of a record the Panel were confident in**

A theft occurred at Sainsburys in which staff saw a male wearing a black bomber jacket, grey joggers carrying a cream bag running out of the fire exit to the rear of the store. Staff witnessed him running in the direction of the train station.

Officers made to the train station and found the suspect sitting on the steps cleaning a bag, suspect matched description and when spoken to was very cagey towards police, not really willing to engage, appeared sweaty as though he had just run. I have informed him that he was going to be subjected to a search due to matching description, at this point he stated there were stolen bottles of alcohol in his bag.

Bag search and items found.

Male was also searched for other stolen items or items used in theft, at this point he also indicated there was white powder namely cocaine in his pocket. Item found and seized.

**Panel comments:** Very well written with all necessary information (Description details could have been provided).

The Panel continues to recognise good practice as part of its scrutiny and regularly highlights records considered excellent to the Constabulary. Panel comments on records in which they are

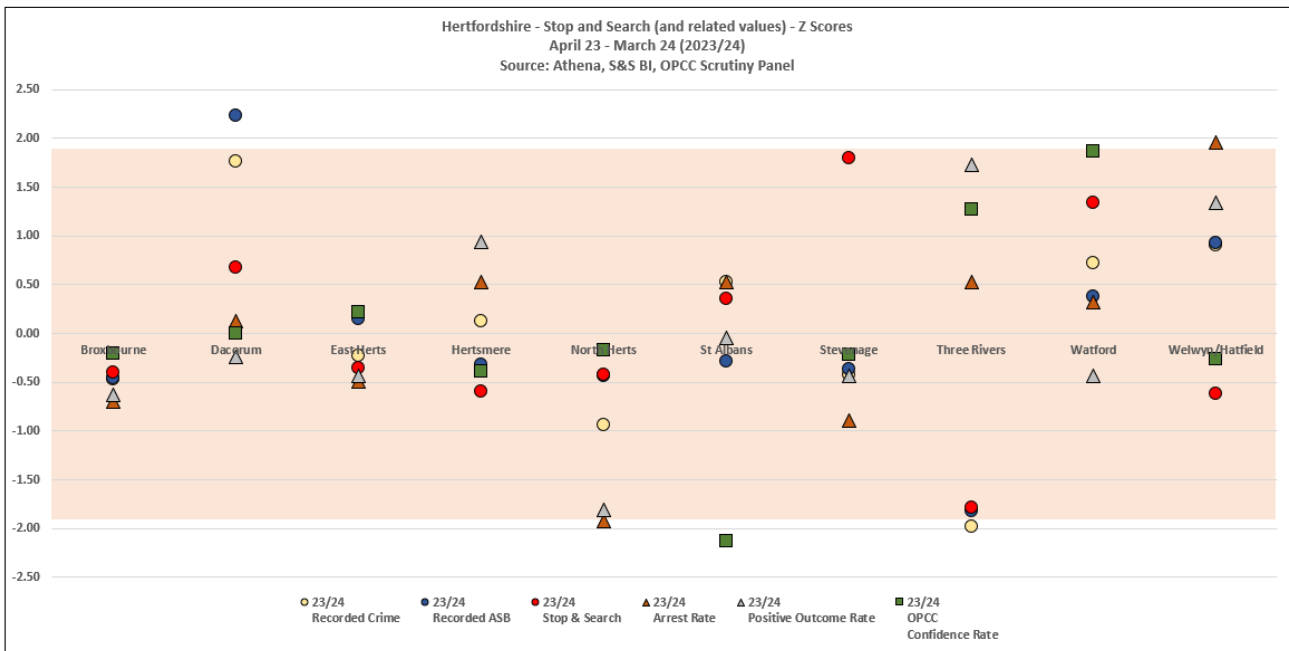
confident typically focus on two themes: the officer has provided a clear, concise narrative; and a precise explanation of the relevant intelligence and how it resulted in the stop of the individual concerned.

The Panel’s assessment of records is shared with the appropriate CSP Chief Inspector as appropriate to feed back to their officers. (See Appendix D for a full illustration of the established feedback loop between the Panel and the Constabulary.)

**Panel confidence by CSP**

Figure 7 is a new graphic that has not featured in previous annual reports. It seeks to deepen our understanding of the Panel’s scrutiny, particularly Panel confidence of scrutinised stop and searches by CSP. Broken down by CSP across the annual reporting period, Figure 7 plots the Panel’s confidence level in stops scrutinised; overall stop and search volumes; stop and search arrest rates and positive outcome rates; and recorded crime and ASB volumes. (See footnote 21 for a brief description of how to understand and interpret the data).

Figure 7: Z-Scores for Panel Confidence Levels by CSP (and related values)<sup>21</sup>



Whilst very little sits either side of the normal variance zone (highlighted in peach), some interesting observations immediately become apparent which could serve to inform scrutiny at future Panel meetings:

- The Panel’s confidence rate for St Albans (62%) is low compared to other CSPs. For those records for stop and searches made in St Albans that the Panel were not confident in, common themes included: lack of clear grounds or intelligence to justify the stop; confusing or non-consecutive narrative, meaning the Panel could not discern the proper sequence of

<sup>21</sup> ‘Z-Score’ is a statistical measurement of a score’s relationship to the mean in a group of scores. It is used to place often disparate (for example, percentages and numbers, very high and very low numbers) but related values on the same chart as a sort of level playing field where it is easier to see whether they may be exceptional and whether there may be any evidence of trends and/or correlation.

events; and scant or missing information, meaning the Panel did not possess the level of detail required to make an informed grading.

- Watford tops the CSP confidence chart (86%), whilst Three Rivers has a confidence rating of 82%. Panel confidence in stops in all other CSPs, broadly speaking, is consistent and hovers around the mean line which covers a range of 72% confidence in Hertsmere to 76% in East Herts.
- The positive outcome rate for stop and searches in North Herts is low, as also noted in figure 4 (25%); as is the arrest rate (10%) compared to, for example, Welwyn Hatfield (29%).

One important caveat to bear in mind when considering the Panel's confidence levels by CSP is that, compared to the overall volumes of stops conducted, the number of stops scrutinised is inevitably a relatively small proportion. In St Albans, for example, the Panel assessed 7.5% of the total volume of stops conducted in the district over the reporting period.



*Panel members scrutinising written records with an officer observing*

If we are to continue increasing Panel confidence in stop and searches, written records would need to, on a more consistent basis, include clearly stated grounds/intelligence justifying the stop; a clear and sequential narrative; and sufficient detail to enable the Panel to make an informed grading. The Panel also continues to find identical records where grounds are copied and pasted for separate incidents. The grounds for a stop and search should be relevant to the individual being searched and it is highly unlikely that the grounds for searching multiple individuals will be identical.

The proportion of records reviewed by the Panel which are copied and pasted has certainly reduced this year and that is a direct consequence of the Panel's feedback on this issue to the Constabulary, demonstrating that its work is having a direct and positive impact on stop and search practice in Hertfordshire.

## 8. Disproportionality

### OPCC-commissioned report by the University of Hertfordshire

Addressing disproportionality in stop and search is an issue with which forces across the country continue to grapple, including in Hertfordshire. In February 2023, the OPCC commissioned the University of Hertfordshire to produce a report exploring police use of stop and search powers to find a better way to understand and measure disproportionality in the county. The report was finalised and published in March 2024 and is available to read and download on the Panel's webpage: [Stop and Search Scrutiny Panel \(hertscommissioner.org\)](https://www.hertscommissioner.org/stop-and-search-scrutiny-panel).

The research found that although there was some disproportionality around the stopping of young black men, the levels of disparity were the lowest when compared to Hertfordshire Constabulary's most similar forces. The report concluded that the majority of perceived disproportionality was explained by the geographical location of where the stop and search took place. Those areas with higher crime rates and a corresponding higher police presence match with those areas with a lower social economic profile. In Hertfordshire those areas also tend to have more ethnically diverse populations.

The research also found variation in the outcome of the search depending on an officer's perception of the individual's ethnicity, with those being less successful for individuals perceived as Asian and Black compared to where an officer perceives an ethnicity of White.

Although the findings would suggest there is better practice in Hertfordshire than other forces, there is still disparity and more work to do. The report is a springboard to move forward and identifies further questions and gaps in the data which need to be examined further. It is a starting point for exploring disproportionality in Hertfordshire, not the end point.

To that end, the Panel held a workshop on the report's findings as soon as it was published to agree how the research can be used to enhance its independent scrutiny of the use of stop and search powers. Two key actions were identified which will have a fundamental impact on the way in which the Panel conducts its scrutiny at future meetings – and in turn, its understanding of, and ability to probe and examine, disproportionality in Hertfordshire:

- The Panel will adopt a more targeted, data-influenced approach to its scrutiny. In addition to continuing to dip-sample stops, the Panel will dedicate a portion of scrutiny time at future meetings to assess the particular areas and groups identified in the report, selecting stops for scrutiny from those specific groups. Over time, this will give the Panel a robust and granular understanding of the different facets of disproportionality in Hertfordshire. This will include disproportionality "deep dives" to identify locations within the force where there is apparent disproportionality, to better understand the use of the powers and assess whether there are any behaviours displayed by the searching officers which cause concern.
- The Panel will strengthen its feedback loops with the Constabulary. It will continue to provide feedback on individual stops. In addition, it will extend its feedback mechanisms to comprise trends in stops. This might include requesting a Constabulary response supported with evidence when stops are identified as being particularly high in a certain

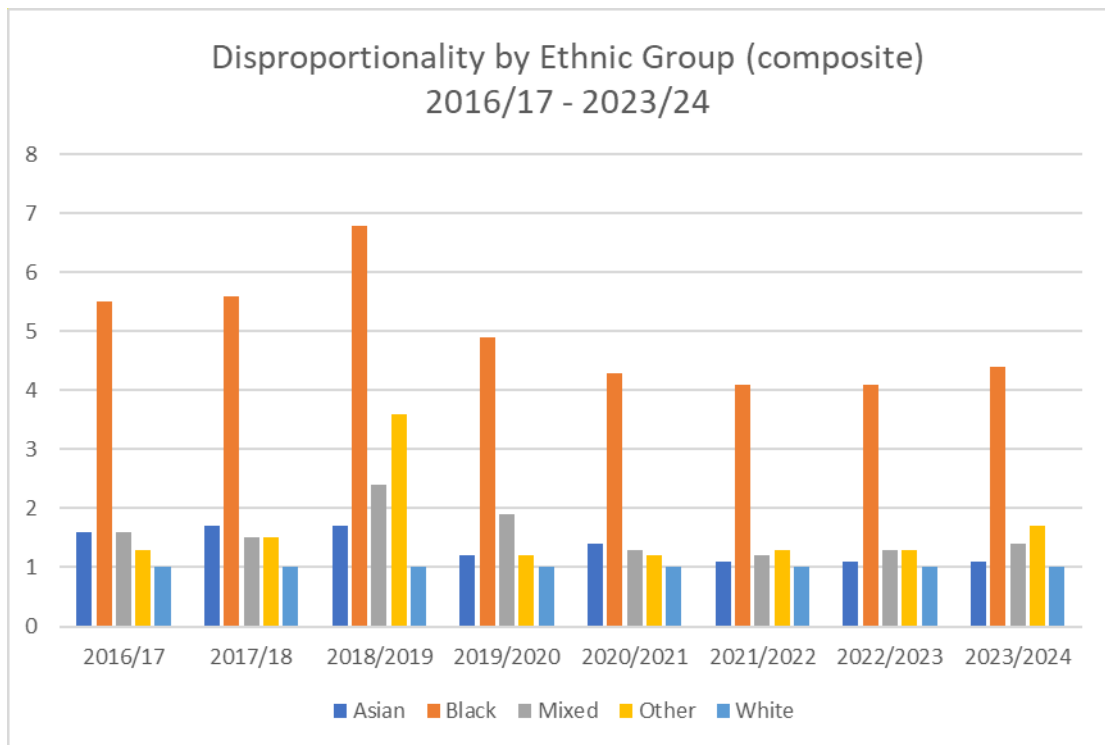
area or amongst a specific group. The issue would then be tracked over time to monitor change, with the Panel able to request additional updates from the Constabulary at future meetings.

Alongside these new scrutiny elements, the Panel will pose a set of questions to the Constabulary on the report’s findings and any implications for policing practice in Hertfordshire. The Panel’s work on disproportionality will be a key focus in the coming year, underpinned by a robust action plan to track progress and hold to account on delivery.

**Constabulary data on disproportionality**

Figure 8 reflects the latest data<sup>22</sup> available from PowerBI, indicating stop and search disproportionality by ethnic group from 2016/17 to 2023/24. The disproportionality rate for Black people being stopped and searched reduced from 6.8 in 2018/19 to 4.1 in 2022/23, increasing slightly to 4.4 in 2023/24.

Figure 8: Disproportionality by Composite Ethnic Group



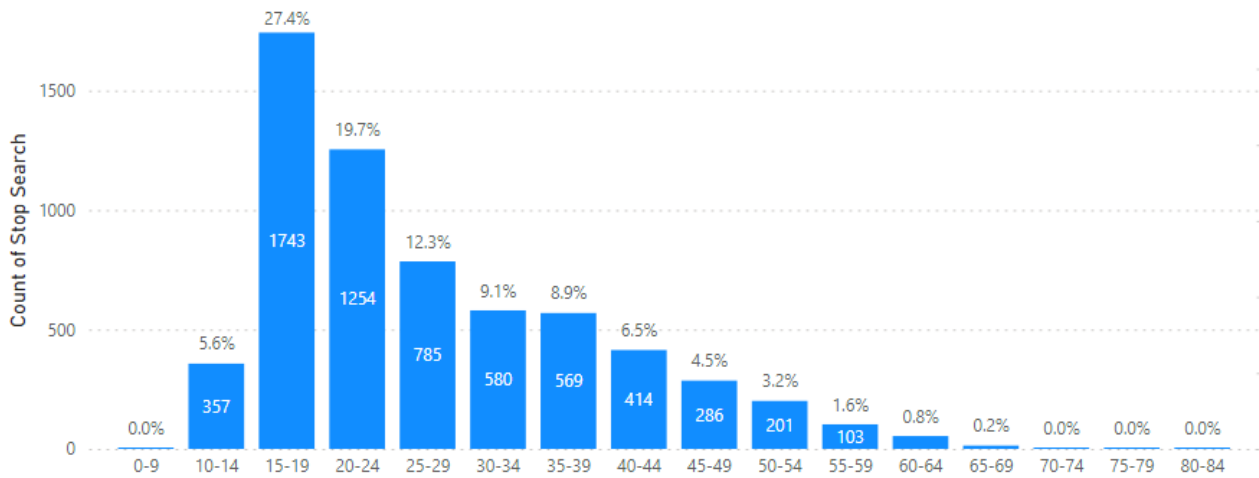
(source: PowerBI, accessed 24<sup>th</sup> April 2024)

Figure 9 illustrates that people aged 15 to 24 accounted for almost half (47.1%) of all stops in Hertfordshire in 2023/24, whilst figure 10 shows that in the same period the vast majority of stops (84.7%) were of Males. This is a slight decrease on last year’s figure of 85.8%.

<sup>22</sup> There are caveats to consider when reviewing disproportionality data. Those who are stopped and searched with no further action do not have to provide any personal information, e.g. their age, ethnicity and address. To augment any data given, officers are asked to use their judgement to record ethnicity: this is referred to as ‘officer defined ethnicity’. The disproportionality data is composite data: if data has not been provided by the person who was stopped and searched then officer-defined ethnicity has been used. It also important to bear in mind that officer actions are also led by the intelligence they receive from the public.

Figure 9: Stop and Search by age (2023 – 2024)

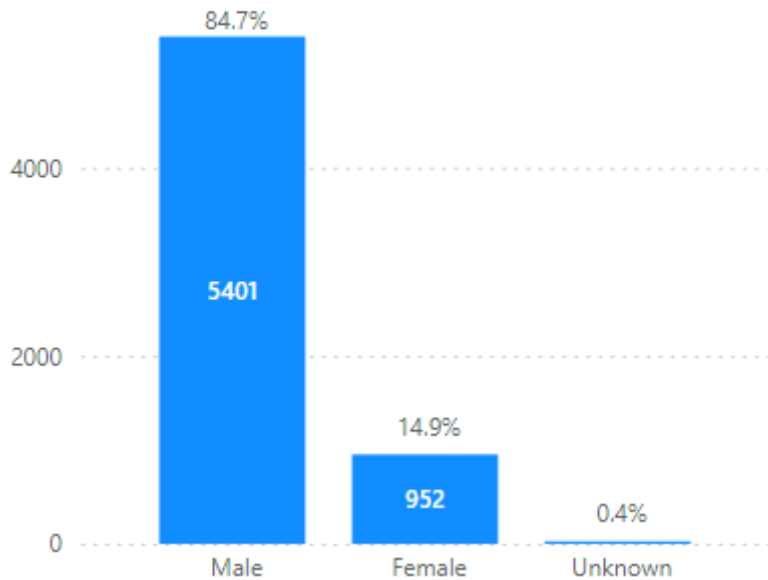
Stop Search on Person by Age Group



(source: PowerBI, accessed 24<sup>th</sup> April 2024)

Figure 10: Stop and Search by gender (2023 – 2024)

Stop Search on Person by Gender



(source: PowerBI, accessed 24<sup>th</sup> April 2024)

## 9. Body Worn Video (BWV)

The Panel has delivered on its commitment to scrutinise more BWV footage this year, in line with the Health Check recommendations. The aim is to continue increasing the amount of BWV assessed by the Panel year-on-year, to enable members to better identify trends in behaviour/compliance with PACE Code A.

The Panel assessed 32 pieces of BWV this year, compared to 18 in 2022/23 and 11 in 2021/22. Of the 32 pieces of BWV scrutinised, the Panel were confident (i.e. Green 1 or Green 2) in 27 records.



*Panel members scrutinising stop and search records with an officer observing*

Two common concerns were typically noted by the Panel during its scrutiny of BWV this year:

- On six occasions, the Panel felt that key details, such as the incident timeline recorded in the written record, did not correspond to the BWV viewed.
- On seven occasions, it was noted that GOWISELY could not be heard in its entirety.

On five occasions, the Panel noted officers for excellent conduct, particularly around being professional, calm, respectful and patient during the course of an incident. There were seven incidents where the Panel was confident in the BWV but not the corresponding written record, principally due to a lack of written rationale for a stop and a failure to link the intelligence to the individual detained.

The Panel has increased its scrutiny of BWV this year by using new venues to good effect, taking advantage of break-out rooms to enable smaller groups of members to concentrate their scrutiny efforts solely on BWV. This model has worked well and is one that will continue to evolve as the Panel is ambitious to keep increasing the amount of BWV footage it scrutinises at its meetings.

The Panel's focus on enhancing its scrutiny through BWV will continue, and is an approach that extends and complements the OPCC's wider remit of BWV scrutiny through the Use of Force Scrutiny Panel (which assesses and provides feedback on use of force incidents by viewing BWV in conjunction with officer statements) and the BWV Scrutiny Panel (established on a permanent basis in October 2023 to provide independent scrutiny and feedback on the use of BWV and officer decision-making across a range of incidents).



## 10. Section 60s

In line with best practice set out in the Home Office's draft National Guidance for Community Scrutiny Panels, the Panel reviews all uses of Section 60 as a matter of policy. There was only one use of Section 60 for the Panel to review during the reporting period, which took place in Three Rivers and was reviewed at the Panel's meeting in November 2023. A Detective Inspector from the local policing team attended to set out the decision-making process, to explain the outcome and take questions from the Panel.

### What is a Section 60 search?

Section 60 of the Criminal Justice and Public Order Act 1994 is different to normal stop and search as it gives police the temporary powers to search people without reasonable grounds. This can only happen in a defined area at a specific time when a senior officer believes there is a possibility of serious violence, or weapons are involved.

## 11. Complaints

All expressions of dissatisfaction are initially logged by the Hertfordshire OPCC's Complaint Resolution Team (CRT). Those complaints which meet a certain risk criterion (including any relating to a stop and search) and any logged matters which cannot be resolved to the complainant's satisfaction are referred to the Constabulary's Professional Standards Department (PSD).

In 2023/24:

- 27 complaints relating to stop and search were made by the public (a decrease of five on last year).
- 6,617 stop and searches were conducted in Hertfordshire. This means there was a complaint raised for 0.41% of all stop and searches (compared to 0.46% last year).
- Of the 27 allegations received, complaints related to both the legal grounds for the search and matters related to incivility. For example, complainants highlighted: use of force; discrimination based on race; individual officer behaviour of either being intolerant, impolite, unprofessional, or overbearing; or around delivery of duties and services relating to information or decisions.

There was no use of the Community Complaints Trigger<sup>23</sup> in 2023/24.

In April 2023, the Panel moved from a biannual retrospective review of complaints data to a frequency of quarterly reviews. One ambition for the coming year is to explore how, in addition to reviewing complaints data, the Panel can better utilise the rich data sets collected by CRT to enhance further its scrutiny of use of stop and search.

## 12. Conclusion

This report evidences the Panel's view that there are no serious concerns about the use of stop and search in Hertfordshire. Rather, the trajectory over recent years is one of improvement including the use of the power and the associated outcomes including arrest rates and positive outcome

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<sup>23</sup> See Appendix C for further information about the Community Complaints Trigger.

rates. Notably, the positive outcome rate for stop and searches conducted this year increased to 35% - a 4% increase on last year.

This year has also been one of progress for the Panel itself as it continued to evolve and develop with the aim of strengthening the breadth and impact of its scrutiny. The Panel has continued its scrutiny role through regular meetings, increasing the proportion of total stops scrutinised this year on last. In parallel, it has enhanced the breadth of different types of incident scrutinised, assessing an increased amount of BWV and all Section 60 authorisations and under 18 strip searches, ensuring alignment with national best practice set out in the Home Office's National Guidance for Community Scrutiny Panels.

Whilst it is important to note the Panel's successes this year, its trajectory is one of continual improvement and development and there is further progress to be made. In 2024/25, the Panel will deliver on the following recommendations to enhance even further the role it plays in scrutinising the use of stop and search powers in Hertfordshire:

- Building on the findings from the University of Hertfordshire's report on stop and search, ensure disproportionality becomes a routine area of scrutiny.
- Adopt a more data-influenced approach to scrutiny work, making more sophisticated use of PowerBI to understand trends and anomalies and identify issues requiring further investigation – and tracking progress over time.
- Deliver a communications strategy spanning the OPCC's scrutiny panels to increase community awareness of and involvement in the panels' work.
- Find effective ways to deliver a more diverse Panel membership by ethnicity, age and those with lived experience of police activity.
- Continue to identify public venues for meetings to maximise opportunities for members of the public to observe the Panel's work; and working to establish effective, practical hybrid meeting options to help attract and retain younger, more diverse panel members.
- Continue to increase the sample size of BWV scrutinised at meetings.
- Work with the OPCC's CRT to understand how its rich data sets can be used to inform and advance areas of Panel scrutiny.
- Continue to implement the Health Check recommendations and adopt the Home Office's draft National Guidance for Community Scrutiny Panels to ensure that the Panel aligns with national best practice.

Progress against delivering on these recommendations is already underway and will be reported on in full in next year's annual report.

## Appendix A: Comparison of Stop and Searches figures from Hertfordshire and Most Similar Force Group (1 March 2023 – 29 February 2024)<sup>24</sup>

County	Average Monthly Stops %	Average NFA %	Average Arrest %	Average %+ve outcomes
<b>Hertfordshire</b>	545	77.9%	14.1%	22%
<b>Avon &amp; Somerset*</b>	562	28.0%	43.9%	71.9%
<b>Essex</b>	1469	73.9%	12.8%	26%
<b>Hampshire</b>	1139	71.6%	12.4%	28.3%
<b>Leicestershire</b>	484	72%	16.4%	27.8%
<b>Staffordshire</b>	433	67.5%	16.2%	32.4%
<b>Sussex</b>	539	64.0%	20.5%	35.8%
<b>Thames Valley</b>	1276	77.4%	9%	22.4%

\* For Avon & Somerset, only data up to January 2024 is available on [www.police.uk](http://www.police.uk).

<sup>24</sup> Please note that comparison with most similar forces is made using data.police.uk data submitted by forces through Crimemapper. This data does not match the reporting standards for Annual Data Requirement 150 (ADR150) through which internal reporting and annual reporting on the use of stop and search is made. As such, numbers in this chart do not correspond to PowerBI data referenced throughout this report. The latest ADR150 data is only available from 31 March 2023 and so does not support reporting on panel activity in 2023/24.

## Appendix B: Progress Review on Last Year's Recommendations

2022/23 recommendations		Progress update
1.	Expanding the Panel's membership by aiming to recruit from a younger demographic as well as from communities that are less well represented, particularly those who are most likely to have contact with the police.	Work in progress. The Panel has expanded its membership this year, but further work is underway to enhance the diversity of its membership. <b>(This will remain a high priority for the coming year.)</b>
2.	Refreshing the governance arrangements of the Panel including the Terms of Reference and Panel Member Profile.	Complete. Refreshed terms of reference and member profiles have been completed. These are published on the OPCC website and reviewed annually.
3.	Developing an updated training programme for all Panel members.	Complete. The training offer to new members has been widened and regular refresher training is offered to existing members. We continue to identify opportunities for members to observe officer training. A streamlined application process has been implemented for Ride Alongs to make it simpler for members to participate.
4.	Developing a set of Key Performance Indicators for the Panel.	Complete. KPIs have been agreed and are used to inform the Panel's scrutiny work.
5.	Aligning the Panel's assessment criteria with the Use of Force Panel's RAG rating, including criteria around incivility for example, officer language, behaviour and attitudes.	Complete. A RAG grading system is in use and reviewed at regular intervals.
6.	Expanding and enhancing the scrutiny process for BWV.	Business as usual. The Panel has expanded its scrutiny of BWV this year and will continue to enhance this element of its scrutiny in the coming year.
7.	Asking Panel Members to be Ambassadors for the Panel by advertising their work and helping to grow the public's confidence in Hertfordshire Police.	Business as usual. Panel members will have a key ambassadorial role to play in the coming year. We will seek to enhance the Panel's diversity of membership through 'mock panel' sessions in colleges and educational settings. Panel members will have an integral role to play in delivering the mock panels alongside the OPCC and Constabulary.
8.	Working with the OPCC and Constabulary as appropriate to consider any findings from the	Complete. The Panel has agreed how to use the findings to enhance its scrutiny. Whilst this specific action is complete,

	University of Hertfordshire's research into disproportionality in stop and search.	disproportionality remains a live issue and is one that will become an established element of the Panel's scrutiny work in the coming year.
<b>9.</b>	In April 2023, the Panel agreed that moving forward, they will scrutinise all strip searches of a child.	Complete. The Panel has scrutinised all under 18 strip searches this year and will do so again in the coming year as a matter of policy.
<b>10.</b>	In April 2023, the Panel agreed to move away from the biannual approach to reviewing complaints data to a quarterly approach.	Complete. Complaints data is presented to the Panel on a quarterly basis.

## Appendix C: Panel Meetings

During their meetings, the Panel may do any of the following:

### The dip-sampling of stop and search records

Members will split into small groups of between two and four individuals to review a random selection of the stop and searches which have taken place in the preceding month in Hertfordshire. Each group is allocated a portion of the spreadsheet (for example up to 20 rows) from which they randomly select records to review.

They record their conclusions for each record on a feedback form, stating whether they were confident or not confident in the officer's grounds. Following each meeting, the feedback forms are processed and provided to the Constabulary's lead officer for follow-up with supervisors and officers.

### Reviewing monthly summary stop and search data

Each month the Constabulary provide the Panel with data which outlines stop and search activity from the preceding month. The data pack includes:

- The number of stop and searches where the object of the search was found, as well as other property found.
- The gender of those stopped and searched for all stops.
- The total number of stop and searches (including a breakdown of ethnicity, both officer defined and subject defined), arrests and positive outcomes by CSP per month.
- The total number of stop and searches in relation to drugs and acquisitive crime per month and how many resulted in an arrest or a positive outcome.

### Body Worn Video footage

The Panel also review some selected BWV footage. The Panel are provided with the correlating stop and search record, before reviewing the footage. Each clip is assessed against a series of prompts, including whether the record reflects what they saw in the footage and whether the officer complied with procedures appropriately. Following a group discussion, Panel members decide as to whether they felt confident or not confident in the appropriateness of the search and of the conduct of the officer(s) concerned.

Following the meeting, the feedback forms are processed and provided to the Constabulary's lead officer for follow-up with supervisors and officers.

### Section 60 authorisations

In 2018, the Panel began reviewing Section 60 authorisations. Officers searching under Section 60 are not required to provide reasonable grounds for individual searches and therefore, there is no requirement for the Panel to scrutinise individual grounds. To ensure the Panel can fulfil their scrutiny function effectively, in line with the guidance under Code of Practice Code A and the Best Use of Stop and Search, the Panel are presented with the following:

- Overview of the application made to a senior officer and the rank of the authorising officer.

- Details of how the authorisation was managed.
- Outline of how, and through what means, the use of the power was communicated to the public/local community before (where practicable) and after its authorisation.
- Summary of activity during the period concerned. For example, the number of stop and searches, details of items found and positive outcomes.

### Complaints

In accordance with the Best Use of Stop and Search guidance, the Panel are sighted on any complaints made by the public about a stop and search event which has undergone investigation and resolution by the Professional Standards Department (PSD) and/or the Complaints Resolution Team (CRT).

Twice a year, the Chief Inspector of PSD attends a Panel meeting to provide an oral update on the quantity and type of complaints made into their department. Additionally, the CRT provide a written update on the number of complaints made into the OPCC and through the Force Communications Room (FCR).

It was agreed by the Panel that a Community Complaints Trigger<sup>25</sup> will be issued if the number of complaints for a particular district is higher than one per month, with the Scrutiny Panel being given the option to do a further deep dive of these complaints. There have been no Community Complaints Triggers for the last year.

### Strip searches of a child

PACE Code C<sup>26</sup> sets out the legal requirements for the strip search of a child. All children must be treated as vulnerable due to their age and safeguarding prioritised. A strip search should only be carried out in extenuating circumstances. The search must take place at a police station (not custody) unless there are extenuating circumstances with an appropriate adult present. A search may only take place in the absence of the appropriate adult if the subject signifies in the presence of the appropriate adult that they do not want them to be present and the adult agrees. A record must be made of the decision and signed by the appropriate adult.

In Hertfordshire, local policy states that no child can be strip searched without an Inspector's authorisation. This is in line with the Children's Commissioner's recent recommendation<sup>27</sup>.

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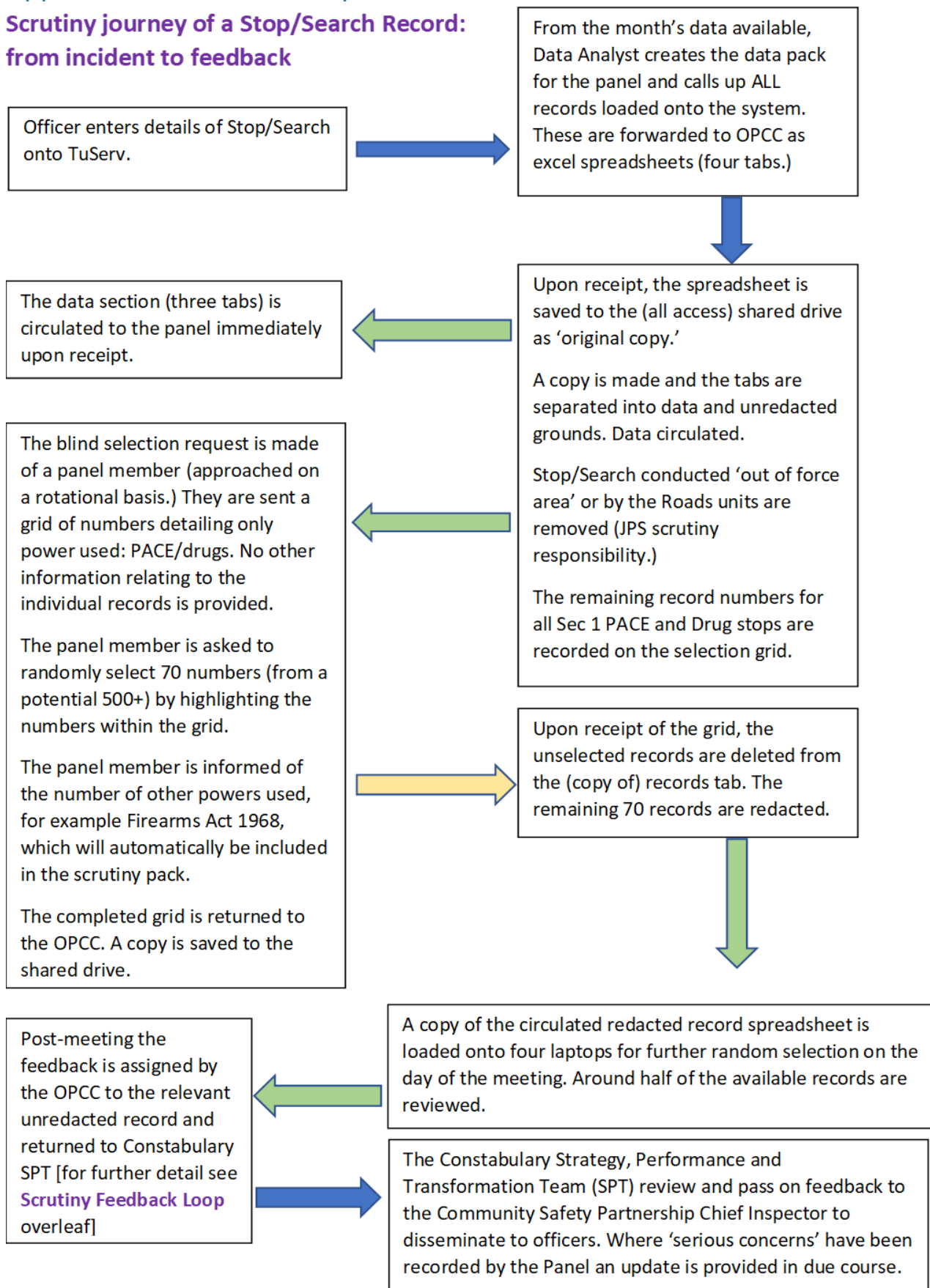
<sup>25</sup> The Community Complaints Trigger is a complaint policy that requires the police to explain to the community how the powers are being used if there is a large volume of complaints. This is in addition to the force complaints process. This allows for an independent review and ensures there is a response to any public concerns about stop and search activity in their community. More information about the Trigger can be found here - <https://www.herts.police.uk/advice/advice-and-information/st-s/stop-and-search/sst/stop-and-search-trigger-application/>

<sup>26</sup> <https://www.gov.uk/guidance/police-and-criminal-evidence-act-1984-pace-codes-of-practice>

<sup>27</sup> <https://www.childrenscommissioner.gov.uk/resource/strip-search-of-children-in-england-and-wales/>

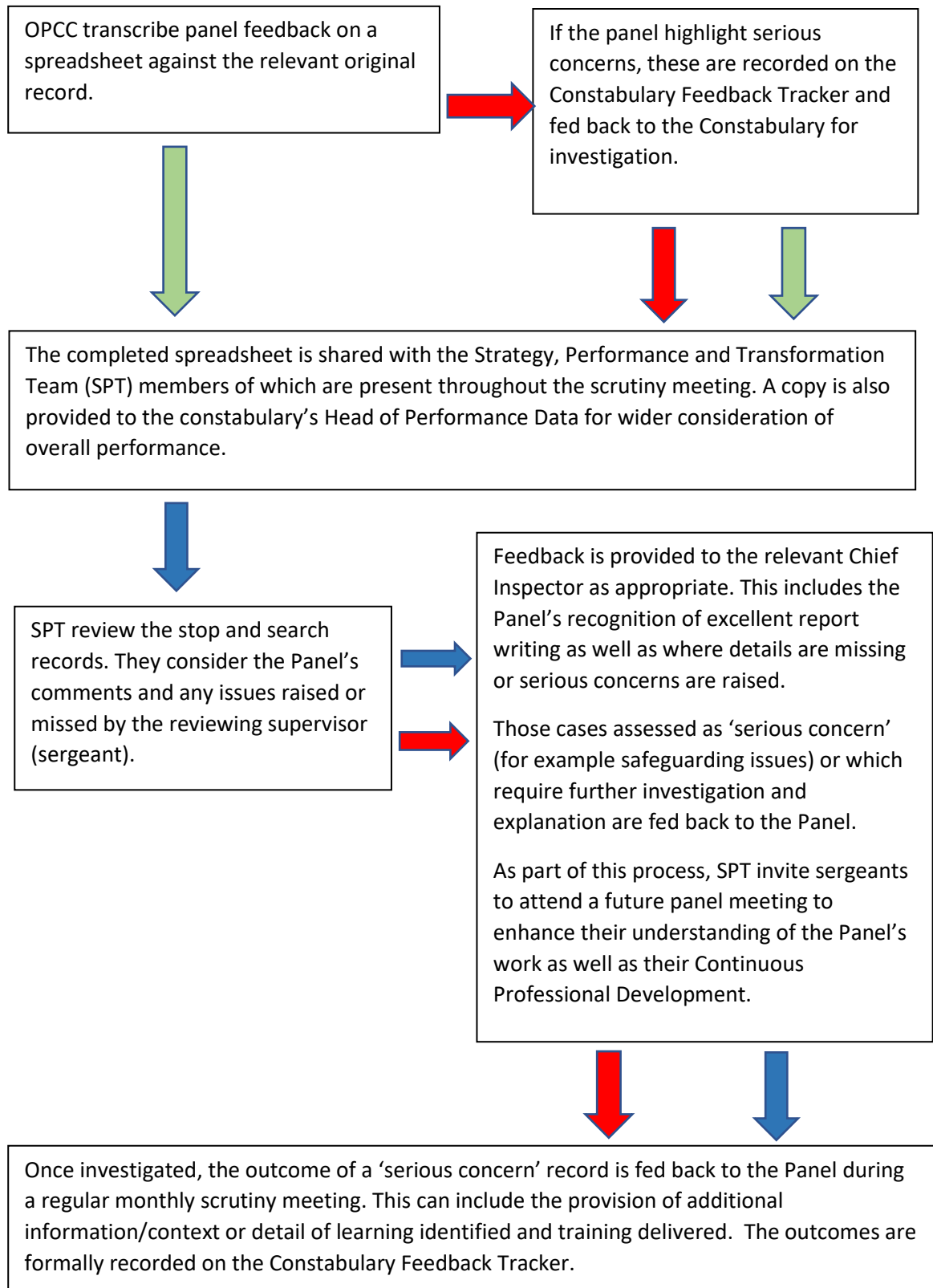
## Appendix D: Feedback Loop

### Scrutiny journey of a Stop/Search Record: from incident to feedback





## Scrutiny Feedback Loop



## Appendix E: RAG Grading Systems for Written Records and BWV

Written Record	
<p><b>EXCELLENT</b></p> <p><i>The grounds for the stop and search were evidenced and clear.</i></p>	<p>1. Panel members were able to make a straightforward judgement. The written report evidenced the grounds and the officer's decision making and justification were clear.</p>
<p><b>SATISFACTORY</b></p> <p><i>The grounds for the stop and search were correctly applied. However, the report would benefit from clarification.</i></p>	<p>2. The correct use of stop and search has been applied but the report would benefit from minor clarification*. Panel members should note what this is on the feedback form.</p> <p>* For example, timeline of events, descriptions of the person searched, proximity of people stopped to location</p>
<p><b>NOT CONFIDENT</b></p> <p><i>Panel members understand why stop and search was used but the report does not fully justify the search.</i></p>	<p>3. Panel members were unclear how the report related to the individual who has been stopped and searched and/or key information is missing*. Panel members should note the missing information on the feedback form.</p> <p>* For example, how the detained person matches the intelligence received</p>
<p><b>SERIOUS CONCERNS</b></p> <p><i>There were no clear grounds for the stop and search.</i></p>	<p>4. The written report does not contain the justification required for the stop and search.</p>

Body Worn Video	
<p><b>EXCELLENT</b></p> <p><i>The officer issued GOWISELY clearly and appropriately. They always acted with professionalism. The footage reflects the written grounds.</i></p>	<p>5. Panel members were able to make a straightforward judgement. The officer acted with professionalism and always treated the detained person with dignity. The footage reflects the written grounds.</p>
<p><b>SATISFACTORY</b></p> <p><i>The officer issued GOWISELY appropriately. They acted with professionalism. The footage reflects the written grounds. However, the interaction could have been improved.</i></p>	<p>6. The footage reflects the written grounds. The officer has behaved professionally but would benefit from minor improvement*. Panel members should note what this is on the feedback form.</p> <p>* For example, they rushed through GOWISELY or one part of GOWISELY was not clearly heard.</p>
<p><b>NOT CONFIDENT</b></p> <p><i>Panel members understand why stop and search was used but the written record only partially reflects the footage.</i></p>	<p>7. The footage only partially reflects the written grounds. Panel members agreed that the interaction would have been satisfactory but have minor concerns around the language* or behaviour used by the officer. Panel members should note this on the feedback form.</p> <p>*For example, unnecessary swearing.</p>
<p><b>SERIOUS CONCERNS</b></p> <p><i>There were no clear grounds for the stop search and/or the officer's professionalism was of serious concern.</i></p>	<p>8. The footage does not reflect the written grounds. Panel members have serious concerns about the search and/or the officer's professionalism.</p>

## Glossary of Terms

Terms	Acronym (if applicable)	Description
Best Use of Stop and Search	BUSS	The Best Use of Stop and Search scheme was announced by the Home Secretary in 2014. The scheme introduced a number of measures designed to create greater transparency, accountability and community involvement in the use of stop and search powers.
Body Worn Video	BWV	The cameras which officers wear to capture both video and audio evidence.
Complaint Resolution Team	CRT	Complaints about Hertfordshire Constabulary are initially by the Complaint Resolution Team (CRT). If a complaint can be handled outside of Schedule 3 of legislation the CRT will attempt to service recover the complaint. If a complaint needs to be formally recorded within Schedule 3 of legislation due to its nature, then it will be forwarded to the Professional Standards Department in Hertfordshire Constabulary who will handle all these matters.
Community Safety Partnership	CSP	Community Safety Partnerships are made up of representatives from the police, Local Authorities, fire and rescue authorities, health and probation services (the 'responsible authorities'). The responsible authorities work together to protect their local communities from crime and to help people feel safer.
Force Communications Room	FCR	The Force Communications Room is responsible for taking emergency and non-emergency calls, recording crime and deploying resources to incidents
GOWISELY	GOWISELY	The national mnemonic <sup>28</sup> is a prompt for officers to remind them of the reasonable steps they must take before conducting a search: <ul style="list-style-type: none"> <li>• Grounds for the search (reason for suspicion)</li> <li>• Object of the search (i.e., what is being looked for)</li> <li>• Warrant number, (if not in uniform)</li> <li>• Identification (officer's name except in terrorism cases when the force number only will be given. Police officers not in uniform will show their warrant cards)</li> <li>• Station to which the officer is attached.</li> <li>• Entitlement to copy of search within 3 months or 12 months in the case of Section 60</li> <li>• Legal Power being exercised.</li> <li>• 'You are detained for the purpose of a search' (person searched must be informed of this)</li> </ul>

<sup>28</sup> <https://www.college.police.uk/app/stop-and-search/professional>

Microsoft PowerBI		Power BI is an interactive data visualization software product developed by Microsoft with primary focus on business intelligence.
Office of the Police & Crime Commissioner	OPCC	The Office of the Police and Crime Commissioner helps the Commissioner to discharge their statutory duties and deliver their Police and Crime Plan. Office staff are politically restricted. This includes being a member of a political party.
Police & Crime Commissioner	PCC / the Commissioner	The role of the Commissioner is to be the voice of the people and hold the police to account. They are responsible for the totality of policing. Commissioners aim to cut crime and deliver an effective and efficient police service within their force area.
Police & Criminal Evidence Act Code A	PACE Code A	PACE Code A covers police powers to stop and search persons and vehicles and the requirements for officers to make a record of a stop or encounter.
Positive Outcome		Positive outcomes, include arrests, as well as out of court disposals. An out of court disposal may be a community resolutions or conditional cautions, which negate the need for individuals to be formally processed through custody suites. These cautions or resolutions may involve fines, behaviour change programmes or victim reparation.
Professional Standards Department	PSD	The Professional Standards Department consists of Complaints, Misconduct, Anti-Corruption and Vetting, all committed to maintaining and improving public confidence and quality of service, protecting and enhancing the integrity of Bedfordshire, Cambridgeshire and Hertfordshire forces
Red, Amber, Green rating	RAG	Also known as 'traffic lighting,' this rating system is used to summarise indicator values, where green denotes a 'favourable' value, red an 'unfavourable' value and amber a 'neutral' value.
Section 60	S60	Section 60 of the Criminal Justice and Public Order Act 1994 is different to normal stop and search as it gives police the temporary powers to search people without reasonable grounds. This can only happen in a defined area at a specific time when a senior officer believes there is a possibility of serious violence, or weapons are involved.  This means anyone in that area, for example, near a football ground, may be searched for weapons without the police officer having reasonable grounds for each person searched.
Stop and Search	S&S	A police officer has powers to stop and search you if they have 'reasonable grounds' to suspect you are carrying: <ul style="list-style-type: none"> <li>• illegal drugs</li> <li>• a weapon</li> </ul>

		<ul style="list-style-type: none"><li>• stolen property</li><li>• something which could be used to commit a crime, such as a crowbar</li></ul>
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