

On the Prevention and Control of Public Security and the Modernization Construction of Police Organizational form in the Pearl River Delta

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Abstract: With the deepening development of the Guangdong-Hong Kong-Macao Greater Bay Area, the water security situation is becoming increasingly tense and causing frequent illegal and criminal incidents on the water, which has brought great harm to the economy and people's lives in the Bay Area. On the surface of the public security analysis, the public security organs to the importance of the water police is the direct reason of the deterioration of the water security situation. The deep factors include the existing problems in the form of police organization form in the Pearl River Delta, the lack of police talents in foreign-related waters, the formation of mass prevention and mass governance network by unrelated people, the urgent need of water-related laws, and the fuzzy police organization form in water waters. The prevention and control of public security in waters should start from strengthening the legal standardization and unity construction of water area public security law enforcement, developing the academic education of water area police officers, cultivating professional water area police talents and strengthening the joint prevention and cooperation mechanism of public security in the Pearl River Delta region.

Keywords: Water area security, Legal norms, Police organization form.

1. Foreword

Pearl river delta is located in the south-central part of Guangdong province, China, for complex delta, by the west, beijiang SiXian kau, dongjiang stone dragon net river system and other rivers into the delta, delta river mainly have river flow, pool river, zengjiang, clever river, shahe, a total area of 2.6 square kilometers, accounting for 5.91% of the pearl river basin area. Downs, terraces and remnant hills are dotted around the delta, and the waterways are divided into eight gates, forming a drainage pattern of "three rivers converge and eight gates go to sea", covering nine cities: Guangzhou, Foshan, Shenzhen, Zhuhai, Dongguan, Huizhou, Jiangmen, Zhongshan and Zhaoqing. Regional scope latitude from east longitude 112°45' -113°50', 21°31' -23°10' north latitude, nine cities with a total area of about 55,000 square kilometers, gathered nearly 60 million people, regional GDP of 9 trillion yuan, is the engine and center of China's economic development. On July 1, 2017, the National Development and Reform Commission and the governments of Guangdong, Hong Kong and Macao jointly signed the Framework Agreement on Deepening Guangdong-Hong Kong-Macao Cooperation and Promoting the Construction of the Greater Bay Area, marking the official upgrading of the Guangdong-Hong Kong-Macao Greater Bay Area as a national strategy.[1] As the starting point of the Maritime Silk Road, Guangzhou has a high-grade waterway network of "three vertical, three horizontal and three lines". The ships that sail include from 10,000-ton international ocean-going cargo ships to hundreds of kilograms of speedboats, including various boats of different nationalities, and almost involve various fields such as trade, tourism, ocean and transportation. Only in the border waters of Guangdong and Hong Kong, the average daily flow of ships reaches more than 8,000 ships.

Since the Pearl River Delta region has boarded the development express train of the Greater Bay Area, the economic and social development and population flow in the

Bay Area have become more frequent, and the water-related industries relying on inland rivers and coastal areas have flourished. However, driven due to the management of administrative divisions, overlapping responsibilities, the influence of geographical relations and various economic interests, public security illegal cases in the Pearl River Delta region show an rising trend. Although the law enforcement force in the Pearl River Delta region has been relatively sound, most of the cases under the jurisdiction of the public security organs have been dismissed for various reasons. Therefore, clear in the pearl river delta region security, comply with the security development requirements, combined with the characteristics of the pearl river delta region water security, contact the masses innovation waters public security prevention and control management path, build a complete, efficient pearl river delta waters public security control system, effectively eliminate wading interests, water ecological security improve political civilization construction, improve political stance, improve development pattern, shaping the pearl river delta waters police new card, build higher quality of the livelihood of the pearl river delta waters security, help Guangdong large bay area economic and social prosperity, become a new era to attention and solve the problem.[2]

2. Public Security Characteristics of the Pearl River Delta Waters

Due to the fluidity and open characteristics of river water areas, the "three regardless" river zone at the regional junction is often the high incidence of illegal crimes in water areas. According to incomplete statistics, in 2020, the public security organs of Guangdong province filed more than 200 criminal cases of water robbery, theft and extortion; accepted more than 2,000 public security cases of illegal sand mining, illegal modification of vessels, shipbuilding, fighting and other, and mediated more than 300 water disputes. In the case of invasion of property, the theft of the holiday passenger flow

in the passenger ship "bag, pickpocketing, theft", etc., stealing enterprises and institutions to dock the ship oil, extortion and robbery of the night sailing or living in the ship people with weapons such as electric rods, controlled knives assault property and oil. Illegal mining, mass incidents, such as economic disputes, contract disputes between boat people and water-related enterprises, water traffic accidents, shipwreck collision accidents, illegal interception of sailing ships, illegal boat detention, water illegal operation, driving "three no miscellaneous boats", illegal use of power grid battery fishing and other public security cases are very prominent [3]. It has major hidden dangers to the safety of residents and the business environment of wading enterprises along the road [4].

3. The Pearl River Delta Water Area Public Security Reality Dilemma

Combined with the current situation of water security in the Pearl River Delta, from the multi-dimensional analysis of law enforcement basis, lack of talents, contact with the masses and law enforcement subjects, there are many problems in the water security prevention and control and police organization form to be solved.

(1) Defects of the law enforcement basis

In national waters public security law enforcement basis regulations, according to the public security organ for administrative case procedures are defined in article 16 of the administrative jurisdiction of industry public security organs, the water public security administrative law enforcement subject for traffic public security, object scope is "the jurisdiction of traffic public security organs on ship, port, wharf working area and port and navigation system of organs, factory, by, team and other units of administrative cases".[5] Public Security Administration Punishment Law. Most of the violations of public security management are land behaviors, but only a few violations of public security management occur on the water, such as water traffic violations, destruction of water conservancy facilities and acts endangering national security. And for the general common water public security cases such as illegal electric fish, illegal ship buckle, illegal sand mining, illegal modification into high-power vessels and other behavior but there is no clear provisions.[6] Therefore, the specific problems of traffic public security organs in public security administrative law enforcement can only apply to the "Public Security Administration Punishment Law" or according to the local laws and regulations, which is easy to cause the excessive public security administrative law enforcement authority, prominent randomness and poor cooperation of traffic public security organs [7].

Water security and railway transport security are similar, and both have cross-regional characteristics. China has the "railway Law" and "Railway Safety Management Regulations" and other laws and regulations supporting the railway transportation public security, but there is no supporting "water area public security Law" or relevant regulations on the water area public security management. Since most of the local level water security legislation in China is concentrated in the economically developed coastal cities in the eastern region, and the regional differences are not obvious, the provincial and municipal regions will more or less learn from the upper laws and regulations in other regions when formulating local laws and government regulations.

Take the Regulations of Guangzhou City on Water Public Security Administration in 1999 and the Regulations of Jiangsu Province in 2017 as an example. The Regulations of Guangzhou Water Security Administration are divided into general provisions, responsibilities and authority, public security management of ships and employees, water public security management, legal liability and supplementary Provisions; the Regulations of Jiangsu Province include general provisions, water security prevention, public security management of ships and crew members, water security supervision, legal liability and supplementary provisions. The styles of the two local laws and regulations are much the same, and the specific content of the regulations is not fundamentally different. Although the titles of both regulations contain the words "water" and "water", the content is generally an interpretation or supplement to the upper law, and the simple and repetitive text is no longer a few, which does not reflect the characteristics of local waters law enforcement. Chapter 2 of the Regulations of Guangzhou Water Public Security Administration stipulates "duty and authority" and Article 29 of the Public Security Administration Regulations of Jiangsu Province: "The people's police of the public security organ may examine and inspect on the spot after presenting relevant certificates; If they meet the conditions for further cross-examination, they may bring relevant personnel to the public security organ for questioning according to law." [8] and the second chapter of the " and article 9 "in order to maintain social security order, public security organs of the people's police, after showing the corresponding documents, can show the corresponding documents, cross-examine, check..." the legal text similarity is high, only the "People's Police Law" in the legal provisions for a simple repeat, it is difficult to see the characteristics of local regulations, also cannot solve the water public security management daily law enforcement confusion.

(2) Lack of police talents in foreign-related waters

With the further opening of the Guangdong-Hong Kong-Macao Greater Bay Area, smuggling and smuggling cases in the Pearl River Delta region are common, and relevant transnational smuggling crimes are repeatedly banned. However, there is a lack of talents among the public security subjects in the Pearl River Delta with relevant foreign laws, language and police skills. To better conform to the economic globalization, promote the development of large bay area market economy, water need the public security organs more standardized in accordance with the case, with more international means to handle the wading security case in the pearl river delta waters, in the rigorous and orderly water development environment, outside the show power conform to the trend of the rule of law concept. At present, the public security cases in foreign waters in the Pearl River Delta are reflected in the theft, fraud of the property of foreign ships, and foreign sailors in disregard of Chinese law, and participate in prostitution and whoring. So far, the pearl River Delta water public security organs still have relevant foreign laws, language and police skills, which undoubtedly restricts the pearl River Delta water public security organs to crack down on the illegal crimes of foreign sailors in China.

(3) Form a mass prevention and treatment network for people without contact

Because the police scope of the water public security organs in the Pearl River Delta region can only be divided into rivers affected by the administrative divisions, and there is no corresponding grass-roots political power organization on the

water, and no village neighborhood committees and other grass-roots mass autonomous organizations to rely on, the function of mass prevention and governance is not obvious. Boat people who live on water have large mobility and low degree of education, pay attention to relatives and local relations, like to gather to form small interest groups, have weak awareness of self-prevention, and are very easy to lead to high-risk and high-profit criminal groups. At present, the water public security organs of the law enforcement concept is weak, and most of them only stay in the primary stage of guiding water-related enterprises, units and boat people, and releasing public security warning information to the masses, and do not pay attention to the contact and grasp the forefront

of the information sharing and establish the remuneration of joint prevention and control mechanism.[9] In wading enterprise unit internal security work, security personnel are widespread in the wading offence case that public security prevention and control belongs to the responsibility of the police, holding the "more than less" "since sweep the snow, which others tile frost" concept, but ignored any ignore will become connivance crime affect yourself, eventually will only be "the collapse of the snow mountain without a snow is innocent". Because of these reasons, the water public security organs can not really contact the masses to form a mass prevention and treatment network.

Table 1. Disorder of law enforcement subjects

city	waterborne police station	quantity
Guangzhou	Guangzhou municipal public security bureau water bureau, Guangzhou municipal public security bureau zengcheng bureau water police station, Guangzhou city public security bureau water branch east river police station, Guangzhou municipal public security bureau water branch fish bead police station, river police station water bureau, Guangzhou municipal public security bureau water branch flower mouth police station, Guangdong hydrological bureau, Guangzhou port water police station	8
Dongguan	Mayong Water Border Guard Police Station, Humen Weiyuan Police Station, Shangnan Street Police Station, Humen Public Security Sub-bureau Taiping Water Border Guard Police Station, Dongguan Municipal Public Security Bureau Shatin Sub-bureau Qisha Police Station	5
Shantou	Shantou Municipal Public Security Bureau water (bus) branch, water branch water police station, Shantou Municipal Public Security Bureau Chenghai branch water police station	3
river source	Heyuan City Longchuan County Public Security Bureau water police station, Heyuan City Public Security Bureau Yuancheng Branch water police station	2
middle mountains	Hengmen water border police station, Zhongshan City Public Security Bureau Wuguishan branch director life water police station	2
a city in Guangdong Province	Zhanjiang City Public Security Bureau water border police station, Huangpo Water police station Mei Lu police room	2
Huizhou	Huizhou City Public Security Bureau Water police station, Huizhou City Boluo County Public Security Bureau water police station	2
Zhuhai	Shilanzhou water border police station	1
Foshan	Foshan City Public Security Bureau Nanhai Branch Huangqi Water Police Station	1
Meizhou	Meizhou Municipal Public Security Bureau Meijiang Branch Water police station	1
Qingyuan City	Qingyuan City Public Security Bureau Qingcheng Branch Water police station	1
Yangjiang	Yangjiang City, Jiangcheng District water police station	1
Chaozhou	Chaozhou City Public Security Bureau Water Branch	1
a surname	Puning City Public Security Bureau Chengxi Water police station	1
Shenzhen	not have	0
Shaoguan	not have	0
Shanwei	not have	0
Yunfu	not have	0
Zhaoqing	not have	0
Jiangmen	not have	0
Maoming	not have	0

As shown in the table, the number of water public security bureaus (or water police stations) in different places in Guangdong province is significantly different. Take Guangzhou and Shenzhen for example, Guangzhou has the largest number of water police stations in the province, 22 rivers with an area of more than 100 square kilometers in Guangzhou, and 5 in Shenzhen. There are 136 onshore police stations in Shenzhen and 166 in Guangzhou, in marked contrast to the lack of water police organizations in Shenzhen. The water area administrative departments of the Pearl River

Delta region are diverse, involving maritime departments, public security departments, customs departments, fishery administration departments, waterway departments, water conservancy departments, mineral resources departments and many other departments. There are many water-related institutions, and the phenomenon of unclear division of jurisdiction, overlapping responsibilities, unclear authority, chaotic law enforcement and prevarication, and lack of necessary communication and cooperation, which is not conducive to the construction of water public security and

prevention and control system. In the public security internal, the water public security and the land public security have overlapping functions, repeated management phenomenon. Often reflected in the discovery of illegal and criminal acts, if the interests of the organ, the land and water public security organs often compete for jurisdiction, otherwise it is to shirk responsibility and shirk each other. There are some problems between the two departments, such as poor management system, insufficient coordination between departments, non-sharing of information resources, and difficulty in synchronized actions. The lack of overall layout among the water-related departments and their own governance has affected the prevention and strike functions in the Pearl River Delta region.

4. Suggestions on Constructing the Innovative Path of Public Security Governance in The Pearl River Delta Waters

Strengthen the standardization and unity of public security law enforcement in water areas. The basic strategy of building a socialist country under the rule of law is that water control according to law is a necessary guarantee for maintaining public security in water areas. The standardization, feasibility, scientific nature and applicability of laws and regulations is the prerequisite and basis of law enforcement according to law, but the lack of law enforcement norms adapted to the water public security organs has become an important factor restricting the maintenance of water public security function, seriously affect the effectiveness of water public security prevention and control and the development of water police team construction. In view of the lack of national laws and regulations on public security management in waters and a large number of relevant local regulations, the water-related law enforcement departments have high calls for the introduction of national unified laws and regulations on public security management in waters. It is suggested that the Law on Public Security Administration and Punishment should be the blueprint to formulate and introduce laws and regulations on the public security management of national universal waters, such as the Regulations on Public Security Administration of Waters. Fully consider the particularity of water law enforcement, different from mainly land "public security administration punishment law" from the legislative purpose, jurisdiction and scope, subject, wading responsibilities of public security organs, management system, daily security prevention and control, violation of water security management behavior, legal responsibility, standards of unified law enforcement and from the name of the national waters police organization form, unified coordination between wading departments cooperation and assistance mechanism, make all kinds of violation of water security prevention and control behavior according to the corresponding law enforcement norms can timely and effectively, truly law enforcement according to law.

(2) Develop police education in water areas and train professional police talents in waters

As the expansion of the police authority, police content similarity, water police responsibilities universality, water police launching contains versatility, water police public security organs, comprehensive personnel for water police law enforcement specialization, professional education demand is higher and higher, the police police profession and

other launching skills larger differentiation make water police launching training specialization requirement is imminent, the public security single business vocational education has cannot meet the needs of the development of water police. Attention should be paid to "general knowledge and skills of public security + knowledge and skills of public security order and safety maintenance + special knowledge and skills of water area + foreign language skills", and support the development of education and training of Marine police personnel more professional, effective and invested. In addition to the routine requirements, the Marine police also require certain water navigation, hydrology, driving, turbine, machinery, communication, radar and other professional skills. However, there is no specialized police training for Marine police in the education and training of police schools in the Pearl River Delta basin. In Hong Kong, there are specialized Marine police training schools independent of the Hong Kong Police College. They have brought rich practical experience and advanced working concepts to the Hong Kong Marine police to attract expert professionals to join the hydraulic police work.[10] Every year, the new personnel who successfully pass the selection through the examination are required to enter the Marine police training school to receive a series of professional training. The Hong Kong Marine Police training is conducted by means of obtaining certificates and reviewing the courses. All the certificates issued by the school are recognized by the Marine Department to be qualified for entering the Marine Police. Complete all the assessment (including hydraulic police ability certificate, hydraulic police helmsman certificate and hydraulic police turbine certificate, Marine police navigation and command certificate), the assessment items of precision, large ability requirements, and the new Marine police still need to receive up to six years of education and training. In the mainland, some police academies represented by the Railway Police Academy have public security majors in the water police direction. Efforts to consolidate to strengthen the railway police personnel training work, combined with the characteristics of transportation and police similar, explore practice lack of airspace police, police professional education, and through the basis of domestic waters police agencies, combined with the needs of the grassroots public security organs with water law enforcement characteristic teaching and scientific research results, so as to promote the legislation in the field of administrative law enforcement integration and criminal special laws and regulations.

To cultivate professional talents, in addition to the current Guangzhou related to professional college graduates talent absorption and training, also need to attract expert talents to hydraulic police education training to provide professional education guidance, share practical experience and working concept, make good use of existing resources will be not professional hydraulic police college to professional police college, establish a unified training mechanism, make the training time, training mechanism, training site standardization. The corresponding hydraulic police officers will be assigned to the professional and targeted police personnel training bases for professional training and on-the-job training. Based on the training methods of land police and Hong Kong Marine police, package training and a number of practical assessment, so as to completely solve the top-level design problem of water police personnel training in the Pearl River Delta basin, and further promote the research and application of new technology in the field of water security.

In addition, it is also necessary to adjust the allocation of resources. The Marine police in Guangzhou and other areas generally show the characteristics of aging, and the corresponding hydraulic police improvement training is blocked, and the water management is tired. Therefore, resources also need to cut peak and supplement dry, and realize sharing, so that the resources of various departments exchange. We will improve the utilization efficiency of water resources and public security resources. To reduce the negative impact of the poor coordination caused by the excess input and the stacking of redundant resources, the limited resources are invested in the more efficient talent training.

Strengthen the joint security prevention and cooperation mechanism in the Pearl River Delta region.

5. Establish the Overall Governance Theory, And Construct The "Big Department System" Water Area Police Cooperation Organization Framework

The establishment of the "large department system" in Guangdong Province should fully consider the hydrological conditions, navigation characteristics of different river basins and the future development trend of water-related economy in Guangdong Province. Main pearl river, han river, west river, and Guangdong coastal river basin, pearl river and west river basin with deep water navigation natural advantages, and han river, Guangdong river basin in poverty alleviation and ecological tourism advantages, in establishing a "big department" should not "one size fits all", but adjust measures to local conditions, treat different river basin function, framework from the function positioning, responsibility division, coordination and cooperation, etc.[11]

(1) Accurate positioning of authority

Government management institutions, macro is to serve the people as the center, around the needs of social economy, development, micro is around a social industry, field, and the prevailing policy direction of scientific governance to clear related functions, by "determine functions, determine institutions, determine" three steps to set up the relevant management agencies. The water area police cooperation organization framework of "large department system" first clearly and clearly positions the functions of all water systems in Guangdong Province, retains, integrates and optimizes the responsibilities within the scope of departments, eliminates the phenomenon of overlapping responsibilities between departments, and simplifies and merges the departments with similar functions. The functional positioning of the "big department system" water area police cooperation organization framework should consider the organic integration of similar functional departments and the norms of units.

Water area security issues cases are often complicated, and involve the interests of the people along the waters, the interests of water-wading enterprises and the protection of the ecological environment. "Most department" water police collaboration range and police, fishery, forestry, maritime management unit contact "long river" improve wading safety propaganda, dispute mediation, mass time prevention and disposal of the positive role, make the lake, linjiang, river, linshui, linhai, wading unit mass autonomous organizations, such as public security, scouts and wading enterprises and institutions security departments involved in water security

maintenance, overall into the "big department" water police cooperation organization, work sharing, to better promote the modernization of socialist waters security management.

(2) Scientific division of rights and responsibilities

The division of powers and responsibilities is the basis for the smooth operation of the organization of units and departments. Taking the block management and vertical management as an example, it can be divided into the division of full responsibility of different management and the division of the rights and responsibilities of the same management, while the scattered water-related units are conducive to the actual operation of the "large department system" water police cooperation organization framework. Take the Pearl River Navigation Administration and the Port and Shipping Administration as an example, the Pearl River Navigation Administration is under the central — local vertical management; the Port and Navigation Administration is under the Guangdong Provincial Transport Department, implementing horizontal subordinate management. Therefore, in building the system of "big" responsibilities division must consider the limitation of "block management", should be in Guangdong province local subordinate unit for the review, focus on solving the problem of hierarchical organization multifarious repeated, improve the macro comprehensive management in Guangdong province, business management, micro water comprehensive law enforcement ability of scientific, reasonable, efficient, maintain water security.

(3) Efficient cooperation and coordination

The establishment of the "large department system" water area police cooperation organization will require higher and stricter capacity for the communication and coordination inside and outside the unit. Good communication and coordination is the premise of cooperation, which is conducive to improving the overall efficiency of the organization and institutions. Need according to the comprehensive actual situation of water security in Guangdong province and local characteristics, adjust measures to local conditions to arrange deputy, for "big" water police coordination organization head to provide scientific and efficient coordination management mechanism to promote effective coordination and communication for different places can only selectively merge departments, reduce the cost of coordination between departments and negative will. For different water-related law enforcement units, clarify the responsibilities and powers of water area police cooperation, realize the cooperation between land and water units, and form a joint control force. Such as illegal sand mining behavior of water conservancy, river, port and navigation departments, illegal discharge behavior collaborative river long office, environmental protection, etc., the water law enforcement subject only by combining water security of different categories, build belong to the "big" waters police coordination organization linkage corresponding coordination agencies, clear responsibilities of each departments, to build comprehensive, wide field, more pattern of water security defense system.[13]

Under the condition that the functions of Guangdong Provincial Public Security Department and its subordinate Water Area Public Security Management Office do not change, it tries to explore a new water area police model, so as to consolidate the connection between the water area public security departments in Guangdong Province and realize the sharing of information and resources, so as to enhance the public management capacity. The integration of water area

police forms can promote the efficient use of police resources, so that the functions of different water-related departments can greatly improve the quality of public services provided for the public through the integration and cooperation with various parties. In line with the goal concept of "integrating legal and regulatory system, optimizing and transforming government functions, and improving the efficiency of water area public security management and prevention and control", promote the transformation of government functions, innovate the organizational form of water area police, create a good water area public security environment, and promote the healthy development of water-related enterprises in the Pearl River Delta region. Only break through institutional barriers, in the "big" water police collaboration organization framework of all personnel, all technology, full information resources circulation, mutual promotion, coordinated development, realize the reasonable allocation of water security resources, from the perspective of comprehensive management collaborative law enforcement, to better guarantee "big" water police collaboration organization in the main body of clear, social linkage prevention and control water security, promote the development of water security prevention and control to the integration.

For xijiang river and the pearl river basin, can learn from our comprehensive management experience of the Yangtze river basin, such as integration, optimization of maritime, waterway, port, water public security management office and other relevant agencies, to the central or provincial government management status of other dc management, maintain the stability of the basin water security, promote the development of economy, by the superior party committee as a whole maritime, waterway, shipping, public security and other departments of resources. Under the theory of overall governance, strengthen the coordination and cooperation between departments, to "big department" water police collaboration organization link the wading authority, unified water security management, form multiple organization, form a unified governance political culture concept, establish the central coordination, superior coordination, optimize simplify administrative procedures, promote the modernization of socialist management ability and management level, establish a unified water security police cooperation organization management mode, create a more safe, stable, ecological harmony, economic prosperity of water security environment.

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