

Chapter 11

Department of Defence

11.1 Border Duty Allowance

Border duty allowance (the allowance) has been paid to certain qualifying members of the Permanent Defence Force since 1 January 1972.

The Department of Defence (the Department), when making its case to the Department of Finance for the introduction of the allowance in late 1969 noted that

“it was essential to establish temporarily new units on somewhat similar lines to the Cyprus units” and that “developments in the Six Counties since then have necessitated the maintenance of such units.....and it is likely that the necessity for deployment of the units in the Border areas will continue for some considerable time”.

The Department considered that payment of the allowance was justified on the basis that

- The arduous and responsible nature of duties in border areas involved service far in excess of normal hours.
- The deployment of special units for lengthy tours of duty to Border areas had caused a good deal of disruption to all ranks as they were away from their permanent stations and married personnel were separated from their families.
- The accommodation provided at Border posts generally was old and in some instances did not provide the amenities which it had been the policy to provide for accommodation occupied on a permanent basis.
- The anomaly that members of an Garda Síochána were paid overtime for carrying out common duties with military personnel in Border areas outside of normal hours.

Payment of the allowance was sanctioned on condition that it would apply only for the duration of the special arrangements made in Border areas and that it would apply only to personnel directly engaged in Border duties.

The weekly rate of the allowance in 2007 was €96.41 for enlisted personnel and €112.19 for Officers. The allowance is payable to enlisted personnel who are permanently attached to Border Units and to Officers for the duration of their posting to such units.

Total expenditure on the allowance in the last five years was, 2007 - €5.38m; 2006 - €5.47m; 2005 - €4.79m; 2004 - €4.62m; 2003 - €4.73m.

Each year, however, significant numbers of personnel from Border Units³⁶ are paid the allowance while temporarily attached to other units for a variety of reasons *e.g.* training. Soldiers may be paid the allowance for a period of up to three months while on a course of instruction.

Logistical support personnel such as cooks, fitters, military police, communications technicians *etc.* are attached to border units from time to time from Athlone, Cathal Brugha Barracks and other posts as the operational situation may dictate. They are paid the allowance for the duration of their attachment.

Six personnel from Baldonnell are in receipt of the allowance due to their redeployment from Finner Camp to Baldonnell after the Air Corps ceased Search and Rescue operations in the North West. It was

³⁶ The Border Units are the 28th Infantry Battalion at Letterkenny, Lifford and Finner Camp; the 27th Infantry Battalion at Monaghan and Dundalk; the 4th Cavalry Squadron at Longford and the 6th Infantry Battalion at Cavan.

agreed in January 2002 as part of the settlement with the Representative Associations to continue to pay the allowance to these personnel on a personal basis.

Similarly, Gormanstown Camp housed B Company of the 27th Infantry Battalion which was a Border Unit. In 1998, the Unit was incorporated into the 5th Battalion located there as part of the reorganisation of the Defence Forces. As part of a negotiated settlement those personnel in Gormanstown who were in receipt of the allowance retained it on a personal basis.

Information received from the Department of Defence shows that, while figures for the level of border specific activity were not readily available for 1972, in 1996, 13,156 patrols, 12,744 checkpoints, 43 searches and 31 explosive ordnance disposal requests were provided in the border area. From 1998 onwards the number of such activities declined and none were undertaken in 2002 or subsequently.

Audit Concerns

I was concerned that this allowance continues to be paid while the justification for its introduction has long ceased.

Response of the Accounting Officer

The Accounting Officer informed me that there has been a significant reduction in the level of demand for Defence Forces assistance to the Garda Síochána in the Border area. The overall nature of the Defence Forces activities has changed as the political and security situation has evolved. Static checkpoints and border patrolling involving the Defence Forces have ceased, some border posts have been closed and some units disestablished. The standard of troop accommodation in most Border Unit locations has improved significantly since 1972.

As a result, the arduousness, responsibility and duration of duties have changed. However, notwithstanding the improved security situation, Border Units are obliged, as well as undertaking normal activities³⁷, to maintain their capability to respond to the impact of emergencies and contingencies on the border, normally through the provision of assistance to civil authorities. Operations in response to the Foot and Mouth outbreak, BSE and the threat of Bird Flu were examples of such instances. Mobile Support Groups are maintained in barracks on a 24 hour basis for border security purposes to provide a rapid initial response in the event of such emergencies. In 2007, an average of 720 mobile support group duties were undertaken over the 30-day month, compared to an average of 2,360 border specific duties the period 1972 to 1998.

A separate security duty allowance is payable to Defence Forces personnel generally when engaged on specified security duties, *viz.* duties defined as "*Aid to the Civil Power*" such as cash in transit escorts, explosive ordnance disposal as well as normal security duties undertaken in the various barracks. However, personnel in receipt of the border duty allowance cannot claim security duty allowance for security duties performed and as a consequence the removal of the border duty allowance would be partly offset³⁸ by the payment of security duty allowance in these cases.

The Accounting Officer, in responding to my enquiries, stated that it was the Department's view that the conditions that led to the introduction of the allowance no longer exist.

³⁷ Security duties, training and preparation for overseas service.

³⁸ Border duty allowance is paid to all permanent personnel in Border Units, while security duty allowance is usually paid only where the personnel involved perform the appropriate duties.

He said that the Department's position in regard to the continuation of the allowance has been addressed by the inclusion of a review of it in the Defence Forces Modernisation Agenda, agreed with the Representative Associations under "*Towards 2016*". He considered that the system of representation for military personnel was the proper forum in which to address proposed changes in the system of remuneration. The review with the Associations is progressing. It is intended that implementation of changes agreed through the review will begin during the lifetime of the "*Towards 2016*" agreement.

Conclusion

Re-appraisal of special arrangements introduced to cope with emergency situations is essential once those situations no longer pertain. The Department is pursuing change through the partnership process. Change needs to take account of the interests of the taxpayer - that money should not be applied for services that are no longer required or where the environment or circumstances in which they are delivered have fundamentally altered.