

A P P E A R A N C E S

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His Honour Judge Peter Smithwick

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**A WORD INDEX IS PROVIDED AT THE BACK OF THIS TRANSCRIPT.
THIS IS A USEFUL INDEXING SYSTEM, WHICH ALLOWS YOU TO QUICKLY SEE
THE WORDS USED IN THE TRANSCRIPT, WHERE THEY OCCUR AND HOW OFTEN.**

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THE TRIBUNAL RESUMED ON THE 26TH OF OCTOBER 2011

AS FOLLOWS:

MR. HAYES: Good morning, Chairman. We are continuing today with witnesses in relation to Eircom-related matters, and the first witness this morning is Mr. Tommy Commins, please.

TOMMY COMMINS, HAVING BEEN SWORN, WAS EXAMINED BY MR. HAYES
AS FOLLOWS:

MR. HAYES: Good morning, Mr. Commins. I think you were employed for many years by Telecom Eireann in its various guises, is that correct?

A. Quite correct, yeah.

1 Q. I think you joined the Department of Post and Telegraphs in 1954?

A. That's right; February --

2 Q. And --

A. -- the 5th.

3 Q. And you qualified as an electrician, then, in May 1957?

A. That's correct.

4 Q. And I think you continued in employment with P&T and then Telecom Eireann and finally with Eircom before your retirement?

A. Yes, and I was seconded to RTE from 1963 to 1973, when I returned to the P&T.

5 Q. I think at that time you returned as an engineering inspector at Drogheda, is that correct?

A. Quite correct.

6 Q. And was your entire career, other than the period that you have told us about in RTE, was that spent in the sort of, if you like, in the Drogheda and district, Drogheda/Dundalk area, or were you elsewhere?

A. Yes, it was spent in what we call the Drogheda district, which is the six counties of Louth, Meath, Monaghan, Cavan, Westmeath and Longford and part of Offaly, which would be the seventh.

1 7 Q. Yes. Now, I think, then, by the time of 1989, I think you
2 were an engineering executive, is that correct?

3 A. I probably was, yeah, probably from before that, yes.

4 8 Q. Yes. I think at that time you were based in the District
5 Office in Drogheda?

6 A. Quite correct, yes.

7 9 Q. And I think that finally, you retired from Telecom in 1995?

8 A. Yes, correct.

9 10 Q. Now, I think you are aware that in or about 2005, the
10 *Phoenix* magazine published an article which related a
11 version or related an account of the telephones being
12 tapped at the Exchange in Dundalk, is that correct?

13 A. I wasn't aware of it and didn't know anything about the
14 magazine and had never heard of the magazine until a Garda
15 Detective Inspector phoned me some years later.

16 11 Q. Yes. I think you are now familiar with the article?

17 A. Yes, after a long conversation with a Garda Inspector.

18 12 Q. Yes. Now, I think at the time in 1989 or in the late
19 1980s, I suppose, you were responsible for external
20 operations relating to the Exchange, is that correct?

21 A. Quite correct, in an overall manner, not in detail.

22 13 Q. Yes. Yes. Now, we had -- my understanding is that that
23 meant that you were responsible for the Exchange -- or for
24 the equipment from the MDF frame outside to outside the
25 building, is that correct?

26 A. Yes, but we didn't classify that as equipment.

27 14 Q. I see.

28 A. Equipment would be in offices or in buildings or in the
29 Telephone Exchange; that would be classified as cabling.

30 15 Q. Yes.

1 A. And infrastructure, civil works, et cetera.

2 16 Q. Yes. And I think, therefore, the cable chamber which was
3 underneath the MDF room came under your purview, is that
4 correct?

5 A. That would be the meeting point between myself and the
6 internal people.

7 17 Q. Yes.

8 A. It would probably be more correct to say we both shared
9 that, you know.

10 18 Q. I see. I think Mr. McEvoy was your internal equivalent, is
11 that correct?

12 A. That would be correct, yes.

13 19 Q. I see. Now, I think were you aware of the system of
14 private wires in use that went through the Exchange in
15 Dundalk?

16 A. Yes, I would be aware of the various businesses and people
17 had private wires.

18 20 Q. Yes. And the Tribunal has heard from other witnesses that,
19 as you say, that they were wires that perhaps were
20 dedicated from a business to its headquarters or from a
21 branch of a bank to the garda station?

22 A. Quite correct, yes.

23 21 Q. And it included lines that went from the garda station to
24 RUC stations in the North, is that correct?

25 A. Well, that would be correct but I didn't know of the exact
26 detail of that at that time, you know.

27 22 Q. Yes. And why was it that you didn't know the detail of it?

28 A. Because I wasn't required to know the detail of it.

29 23 Q. Yes.

30 A. All I would be required to know is that if a collapse of

1 the cabling system between the Exchange and the garda
2 barracks occurred, that my staff would be in a position and
3 have the equipment and new cabling, et cetera, to restore
4 services as quick as possible.

5 24 Q. Yes. And was knowledge about the private wires, was it --
6 was it restricted to those who needed to know it?

7 A. I suppose it's correct to say that, but the people who
8 needed to know it would be, by and large, employed in the
9 Telephone Exchange. They would know the exact number of
10 private wires going everywhere.

11 25 Q. Yes.

12 A. They would know their classification and the private wire
13 classified number, if you know what I mean.

14 26 Q. Yes. Now I think, and perhaps if the article could be put
15 up on the screen, I think in your statement to the Tribunal
16 you made a number of observations --

17 A. Yes.

18 27 Q. -- in relation to the article?

19 A. Well, as regards the article, I haven't seen the article
20 and don't have a copy of the article since --

21 28 Q. I will get a copy of it and it will be given to you.

22 A. -- for about seven years, you know. But at that time I did
23 make a detailed study of it for the Garda Inspector and I
24 explained the whole detail to him, which I think he was
25 very happy with.

26 29 Q. Yes.

27 A. I made my observations to himself on that. I have, some
28 years later, probably about two years later, which was I
29 think in June 2007, I made a detailed statement to the
30 Tribunal.

1 30 Q. Yes.

2 A. Now, I can't recollect if I made a written statement to the
3 Garda.

4 31 Q. I think you did; I can tell you that you did.

5 A. And I didn't, certainly, keep a copy, you know.

6 32 Q. No. Well, insofar as it's required, a copy of that can be
7 shown to you but in the first instance, if we just deal --

8 A. Well, I don't really need a copy because everything I have
9 to say, I said to the Tribunal in my written statement of
10 June 2007.

11 33 Q. Yes. Now, you made a comment about, "*the reference to the*
12 *private wire was known as a hotline.*" Do you have any
13 comment to make in relation to that?

14 A. No, I didn't make a comment about that. I said the
15 description "hotline" was never, to my knowledge, used to
16 describe the private wire. I think all my staff would
17 simply call it as it was: a private wire.

18 34 Q. I see.

19 A. You know, I think "hotline" is kind of a smart-aleck
20 phrase --

21 35 Q. Yes.

22 A. -- that somebody probably saw on the television or
23 something like that, you know.

24 36 Q. And I think then, also, you clarified that the Exchange was
25 properly called E10B rather than E10?

26 A. Yeah, that is, like, you would call your car a Ford Focus,
27 you know.

28 37 Q. Yes.

29 A. The type of the exchange and the generation of it, was an
30 E10B, just the same as you'd say your mobile is a Nokia

1 6010 or something.

2 38 Q. Yes.

3 A. Now, whoever called the private wire an E10B hadn't a clue
4 what he was talking about.

5 39 Q. Yes. And then, I think, to get into, I suppose, the body
6 of the article where it talked about, it used the term
7 'spare wires'. Was that a term that you were familiar
8 with, 'spare wires'?

9 A. Well, spare wires was a term that was used probably in the
10 1930s and '40s and '50s when, any of us here who are old
11 enough, would see a whole line of poles with wires on it.

12 40 Q. Yes.

13 A. They were called spare wires if they were spare, or wires
14 in service. But from the 1960s onwards the term would be
15 'spare cables' or 'spare cable pairs' because they are
16 underground and they are big cables and they -- there could
17 be 100 or 200 or up to 1,200, maybe 2,000 in it, so that
18 term would not be used by ordinary Telecom Eireann
19 technicians, you know.

20 41 Q. Yes, I see.

21 A. It shows a very poor understanding of the set-up.

22 42 Q. Of the set-up or of the terminology --

23 A. That's correct.

24 43 Q. -- then in use. It then made reference to, "*that these*
25 *spare wires were on the termination block of a 400 pair*
26 *underground distribution cable running through the basement*
27 *jointing chamber.*" Does that make sense to you?

28 A. Well, all cables that come in from any town or village come
29 into a cable chamber and they all terminate on what is
30 called terminating blocks.

1 44 Q. Yes. And that is in the MDF room, is that correct?

2 A. Yes, the cable chamber is usually under the building and
3 the cables go up to the first floor and they are on these
4 blocks, which were quite visible, with a whole lot of wires
5 on them.

6 45 Q. Yes.

7 A. It's an interface, in other words, between the external
8 cabling of the town and the internal cabling going to the
9 telephone equipment throughout the Exchange.

10 46 Q. Yes.

11 A. Which is a very complex arrangement.

12 47 Q. Yes. Are you aware whether there was such a thing as a 400
13 pair cable?

14 A. I am not, actually. There would be dozens of cables in a
15 telephone exchange the size of Dundalk.

16 48 Q. Yes.

17 A. They would be coming in in 200 pair cables, 300 pair
18 cables, 400 pair cables, 600 pair cables, 800 pair cables,
19 1,200 pair cables, maybe 2,000 pair cables, you know. And
20 my only interest would be when a cabling system or a cable
21 would fail that our staff had the resources to restore
22 service as soon as possible.

23 49 Q. Yes.

24 A. I am not sure, and doubt very much, if a 400 pair cable did
25 go direct from the Exchange to the garda barracks because
26 that would be an overkill in cabling, if you know what I
27 mean.

28 50 Q. I see. Now, was it the case that the garda barracks had a
29 dedicated cable from the barracks to the Exchange or did it
30 join up with other sort of residential or business

1 properties along the way at various junction boxes?

2 A. Normally, and I don't know in this case, but normally it
3 would be like the roots of a tree.

4 51 Q. Yes.

5 A. It would go from smaller pair cables which would come in
6 and join to a larger cable going into the Telephone
7 Exchange.

8 52 Q. Yes. I suppose, I mean on a simple analogy, at my house
9 where I have a telephone line, I have one line that leaves
10 the house that joins up with other lines from my road?

11 A. That's right.

12 53 Q. That joins up then with?

13 A. A larger cable.

14 54 Q. Other roads, is that correct?

15 A. I see a few experts down there who will know more about
16 that detail of how that cable was arranged.

17 55 Q. Yes.

18 A. I wouldn't know this for the whole of six counties, you
19 know.

20 56 Q. Well, we might leave it, then, for them. There was
21 reference in the article to certain work having been done
22 by British Telecom trained engineers.

23 A. I haven't a clue what that means.

24 57 Q. Yes. Were you aware --

25 A. I wasn't aware of any of our staff being trained by British
26 Telecom engineers.

27 58 Q. Yes.

28 A. We had training centres in Cork and several places in
29 Dublin where all our staff got training.

30 59 Q. Yes.

1 A. And certainly I am not aware, in my day, of any of our
2 staff going to BT, British Telecom, to be trained.

3 60 Q. Were you aware of there having been any, I suppose, staff
4 employed on a contract basis --

5 A. Oh, yeah.

6 61 Q. -- who had been British Telecom staff?

7 A. No. I was aware that British Telecom needed assistance
8 away back in the '90s for a number of years, and I don't
9 know how many years now, and they continually asked Eircom
10 Headquarters to provide what I would call cable jointing
11 staff who were experts.

12 62 Q. Yes.

13 A. And they were sent from all over Ireland. Now, our
14 district would be required on a national basis
15 proportionally, maybe, to send 20 at a time.

16 63 Q. Yes.

17 A. Likewise, Cork district might send 40 because it's bigger
18 staff, you know.

19 64 Q. Yes.

20 A. So...

21 65 Q. So it's quite the other way around, is it, that Eircom in
22 fact sent staff over to Britain?

23 A. That's right. Nobody from British Telecom, to my
24 knowledge, ever came to work for Telecom Eireann or the P&T
25 or Eircom, but however, I was left before Eircom became
26 Eircom.

27 66 Q. Yes. In respect of the staff who did go to British
28 Telecom, did you know of whether any of them had any
29 particular IRA sympathies, to your knowledge?

30 A. No, definitely not.

1 67 Q. Mr. McEvoy, yesterday, gave evidence that when the Exchange
2 was being upgraded in the mid-1980s and it was becoming a
3 digital exchange, in fact Ireland and the UK went two
4 different paths with regards to the type of equipment that
5 was being used?

6 A. Yes.

7 68 Q. Do you know anything about that?

8 A. I do. I think that would be 1983/'84, and I am fairly sure
9 that the decision was made by Albert Reynolds, when he was
10 minister, to go on a French digital system, but the
11 British, I think, would have stayed with their standard
12 telephone company, which was the non-digital system. It
13 was what was called Step-by-Step Strowger system; Frank
14 probably told you that.

15 69 Q. Yes. What he said was, in fact, that the two different
16 systems, that the expertise required for the operation of
17 both was not the same expertise?

18 A. Quite correct. I would count myself an expert on
19 Step-By-Step Strowger, and would have a first-class honours
20 in the final certification of that.

21 70 Q. Now, the article also then made reference to there having
22 been free access to the Exchange building after hours. Do
23 you have any comment to make in relation to that?

24 A. Well, the comment I would make about that is that I don't
25 think that is right, but Frank McEvoy would have been the
26 expert on that; he was actually in charge of the building.

27 71 Q. Yes.

28 A. But I doubt very much if that was correct. In fact, I'd be
29 a hundred percent sure that that wasn't correct, that there
30 was somebody -- there was a doorman or a security man there

1 who had to let you in, you know.

2 72 Q. Yes. Mr. McEvoy did give evidence yesterday, but from your
3 experience what was the level of security for entry to the
4 building?

5 A. I don't know, I never went into it after hours.

6 73 Q. I see. And during the day was it easy to get access to or
7 not?

8 A. If I was going in during the day, which I only done on a
9 few occasions, to the Dundalk Exchange, I would have been
10 accompanied by the engineering manager, Gerry Finnegan.

11 74 Q. Yes, I see. And presumably that would have made access
12 perhaps slightly more straightforward, would it?

13 A. Well, it would have been straightforward anyway because the
14 people in Dundalk would have known me.

15 75 Q. Yes. Now then, if we get on to the description of the
16 actual work that was undertaken where it describes there
17 having been a slit in the -- sorry, where the work that the
18 article says was undertaken, it describes there as having
19 been a slit in the sheath of the PUT cable. Does it
20 make -- if the PUT cable were to be slit, and my
21 understanding is that's a large cable, is that correct,
22 probably about the size of a fist or thereabouts?

23 A. It would certainly be more than the diameter of that.

24 76 Q. Of the drinking glass?

25 A. Yes, if it was a 400 pair cable, but the sheath of this
26 thing, as those fellas describe it, would come to be opened
27 out where there was possibly -- there would possibly have
28 been an air block on it, if you know what I mean, so that
29 air could be pumped out to stop the ingress of water out
30 the town if the cable became punctured, you know.

1 77 Q. Yes.

2 A. It would open out into a very large pothead, they were
3 called. I think -- with reference to this article, I think
4 that is what they mean, that they would have punctured
5 that.

6 78 Q. Yes.

7 A. But, however, if could I use ordinary layman's term about
8 it, my observation of this is just a load of rubbish, you
9 know.

10 79 Q. Yes. My understanding is that, and -- well, first of all,
11 a 400 pair cable has 800 wires in it, isn't that correct?

12 A. That would be correct, yes.

13 80 Q. That to work at 800 wires requires you to slit the cable to
14 a significant length, is that correct?

15 A. Could you repeat that?

16 81 Q. If you want to be able to work at the cables inside, or the
17 wires inside the cable requires a large slit in the cable?

18 A. Quite correct, yes.

19 82 Q. Yes. If there was a slit in the cable, and we have been
20 told that these cables were air pressurised, that I think
21 would trigger an alarm, is that correct?

22 A. I am fairly sure it would, but you have a few experts down
23 the back that will tell you the detail of that.

24 83 Q. Very good. It makes reference, then, to when the work
25 was -- had been done, had been completed, it alleges that a
26 wire was run out from the cable to a recording device which
27 was hidden in a technician's box?

28 A. I saw that, yeah.

29 84 Q. Yes. These were, I think, were large yellow boxes, is that
30 correct?

1 A. That's correct, yeah. Well they wouldn't be large.

2 85 Q. What sort of size were they?

3 A. They were about a nine or ten inch cube.

4 86 Q. Yes. And --

5 A. The difficulty about this is, if the wire was run out,
6 where was it run out from? You said there was 400 pairs in
7 this, which is 800 wires.

8 87 Q. Yes.

9 A. Like, it didn't run out from the whole 800 wires.

10 88 Q. No.

11 A. It ran out from two, and, you know, how did they identify
12 the two --

13 89 Q. Yes.

14 A. -- out of 800?

15 90 Q. The jointers' equipment, I think that was called a megger
16 box, is that right?

17 A. That's right. I think it would be described officially as
18 an Ohm-Metre 18A or B.

19 91 Q. Yes, and we can see perhaps why they would call that a
20 megger box rather than that mouthful on every occasion.

21 A. Well a correct description, I am sure, was an Ohm-Metre
22 18B.

23 92 Q. Yes. Were they in plentiful supply at the time in Telecom?

24 A. To use the familiar description, as far as my knowledge
25 goes, they were like hens teeth.

26 93 Q. On that basis then, what do you think the chances of one
27 sitting idle in the cable chamber for a period of perhaps
28 three years would be?

29 A. Well, from all the hassle I used to suffer from staff about
30 get are more test equipment, I think the chances are nil,

1 you know. And anyway, I am sure some of the supervisors or
2 managers or team leaders in Dundalk would have observed it
3 over a three-year period, you know.

4 94 Q. Yes. Now, the -- do you have any observation insofar as
5 the job that is described in the article, do you have any
6 observation as to whether or not that would have been
7 obvious to anybody looking?

8 A. It would. It was sticking out a mile, you know. Anybody
9 would see -- like, if a wire is to come out of the back of
10 your computer and go up to a box there, like we'd all see
11 it, you know.

12 95 Q. Yes. Yes. You knew Mr. Finnegan?

13 A. A very, very -- very, very well, yes, but unfortunately
14 this was written about a deceased person; I think Gerry
15 died about 1998, I think.

16 96 Q. Yes, certainly, he died in the few years after his
17 retirement in 1995?

18 A. Probably within a year. I know it would be 1998 because --

19 97 Q. He had retired in 1995 and I think Mr. Rowley told us that
20 he had died in 1996, so that would be --

21 A. That would probably be correct, yeah.

22 98 Q. But certainly, in any event, he was dead, unfortunately,
23 long before this article was ever written?

24 A. Pardon?

25 99 Q. He was dead long before this article was ever written?

26 A. He was. Well that's another bit about it that we wouldn't
27 like in Eircom, you know, why didn't they write it about
28 somebody that was alive.

29 100 Q. Yes. You would know Mr. Finnegan almost from your first
30 day in Telecom?

1 A. I would have known him since the 5th of February 1954.

2 101 Q. Yes. And from your knowledge of him, what would he have
3 done had he found what is described here?

4 A. Well, he would certainly have brought it to Frank McEvoy's
5 attention.

6 102 Q. Yes.

7 A. Without a doubt in the world. If Frank McEvoy wasn't on
8 duty or on holidays or something, he would have brought it
9 to John O'Halloran, the district manager's attention,
10 without a doubt in the world.

11 103 Q. It makes reference to Mr. Finnegan having reported the
12 matter to HQ at Cumberland House?

13 A. Well, as I said in my information to the Tribunal, they
14 sent it to Telecom Eireann Headquarters in Cumberland
15 House.

16 104 Q. Yes.

17 A. The Telecom Eireann Headquarters was, until recently, a
18 year or two ago, in St. Stephen's Green, in the big
19 building there. Cumberland House was one of many places in
20 Dublin that were owned by Telecom, where telephone contract
21 staff and various people like that worked.

22 105 Q. Yes.

23 A. It wasn't the Telecom Headquarters.

24 106 Q. No. There is a suggestion, perhaps, that it was the Dublin
25 District Headquarters, would that be correct?

26 A. It probably is, I don't know.

27 107 Q. It certainly was not Telecom Headquarters?

28 A. No, it wasn't Telecom Eireann Headquarters.

29 108 Q. And can you remember where was the Investigation Branch
30 based?

1 A. I don't know. They were a telephone number to me, you
2 know.

3 109 Q. All right.

4 A. We had an internal directory for all of Ireland.

5 110 Q. Yes.

6 A. For Sligo, Donegal, Dublin, everywhere, and everything,
7 including the Drogheda District Office, other District
8 Offices headquarters' numbers and the Investigation Branch,
9 everything was in that. Now, it probably gave the address
10 but I don't know what it was, but you would have the
11 officer's name and a telephone number, that is all you'd
12 need to know, you know.

13 111 Q. Yes. Now, it makes reference to the Investigation Branch,
14 or members of the Investigation Branch having come to
15 investigate this tap when it was found, and I know at the
16 time, obviously, that you were based in Drogheda but you
17 had a supervisory role, am I correct, in relation to the
18 entire district?

19 A. Yes, for external staff and external operations.

20 112 Q. Yes. If your staff were being interviewed by Investigation
21 Branch, would you have been, in the ordinary course, have
22 been informed of that?

23 A. I would, I am fairly sure, and also, I think I would have
24 been in attendance during the interview.

25 113 Q. Yes. Did you -- were you ever informed of Investigation
26 Branch interviewing your staff in relation to the matters
27 described in the article?

28 A. Definitely not.

29 114 Q. And did you ever sit in on any interviews with them?

30 A. Definitely not.

1 115 Q. Now, the article makes a reference, as well, to not only
2 that this particular private wire was being monitored by
3 the IRA, but also that the IRA were monitoring various
4 dial-up phone lines. I take it that the private wire and
5 the dial-up phone lines are two entirely distinct things,
6 is that correct?

7 A. Quite correct.

8 116 Q. I think -- is it correct that the private wire has no dial
9 tone whatsoever on it?

10 A. That's correct, you couldn't dial up on to a private wire;
11 just impossible.

12 117 Q. Yes.

13 A. Like, you cannot drive your car on to an aeroplane when
14 it's flying over the city, you know.

15 118 Q. Yes. You have described the account given in the article
16 as nonsense. Could you perhaps just explain to the
17 Chairman why exactly it is that you think that it is
18 nonsense?

19 A. Well, I think I have explained it in all I have said so
20 far, you know.

21 119 Q. Yes. I suppose, first of all, is what they describe
22 possible? Is it technically feasible to do?

23 A. Well, technically feasible to open any cable and connect
24 anything on to it.

25 120 Q. Yes.

26 A. But, however, it's not claimed by any telephone company in
27 the world that landlines are free from interception or
28 interruption, you know.

29 121 Q. Yes.

30 A. However, in the manner this is alleged to have been done,

1 it's not possible and I don't think it would work, and I
2 think the article said somewhere that these people visited
3 this hollowed-out box and changed tapes every day or
4 something. Like, that is just not -- it's too far fetched.

5 122 Q. Yes. I think, certainly, the article makes -- you are
6 correct that it makes reference to the observation being
7 done by means of tape-recording rather than --

8 A. That's right, yes.

9 123 Q. -- remote listening?

10 A. It said something about American tape-recording, and I
11 never heard of that system myself. What I think about this
12 is that somebody with very, very little knowledge of
13 telecommunications or the infrastructure or the knowledge
14 of how to do it or the terminology used contacted a
15 journalist who just wanted to write something that a lot of
16 people reading it would believe.

17 124 Q. Yes.

18 A. However, I didn't read it myself and didn't know anything
19 about it until the Garda Superintendent called me, and I
20 never heard of the magazine, because the only time I'd see
21 a magazine is when I'd be in the doctor's surgery for me
22 annual flu jab.

23 125 Q. Do you have a view as to whether there are more
24 straightforward ways to have done what was -- what it says
25 was being done?

26 A. Yeah, there are several more straightforward ways of doing
27 it which, like, bore major holes in the whole lot. Like,
28 why would you go to that terrible trouble for something
29 that wouldn't work when you could have intercepted it on
30 what is called the termination block just six or eight feet

1 over that?

2 126 Q. Yes.

3 A. And where the interception may not be noticed --

4 127 Q. Yes.

5 A. -- with all the equipment that exists there. You could
6 also extend that termination block to a spare cable
7 terminating in some other part of the town and monitor it
8 at a distance. However, you would need some technical
9 knowledge to put any device over a working device without
10 causing trouble on it that wouldn't be detected by the
11 technical staff in the Exchange.

12 128 Q. Yes. Now I think, and you alluded to this, that the
13 observation, according to the article, was done by way of
14 listening to cassettes which were taken away from the
15 Exchange on a regular basis, and I think the article
16 explains that the -- that there was a phone call at about
17 twenty past nine that morning and that by 10:45 a.m. the
18 intercept was confirmed. Would that -- what do you think
19 the likelihood of, between 9:20 a.m. and 10:45 a.m. on a
20 Monday morning, of people being able to get into the
21 Exchange building to remove cassettes?

22 A. It would be nil.

23 129 Q. Thank you very much, Mr. Commins. If you'd answer any
24 questions.

25

26 **THE WITNESS WAS CROSS-EXAMINED BY MR. McGUINNESS**

27 **AS FOLLOWS:**

28

29 130 Q. MR. McGUINNESS: I appear for An Garda Siochana. Just a
30 couple of questions. You essentially spent most of your

1 career in the Drogheda/Dundalk area, with the exception of
2 the period in 1973 when you were with RTE, is that right?

3 A. Yes, most of it, most of my career. I would have been
4 short-term in various places for a number of weeks
5 throughout Ireland.

6 131 Q. Yes. And you knew Mr. Finnegan very well from the day you
7 went in as --

8 A. Very well, yes, years and years.

9 132 Q. -- as a trainee. Can you tell the Chairman, with absolute
10 confidence and certainly that if he had discovered anything
11 like this, he would have reported it?

12 A. Quite correct.

13 133 Q. And if three members of the Investigation Branch came down
14 to interview all the staff with access, would you have
15 heard about that?

16 A. I am absolutely certain I would, you know.

17 134 Q. And can you -- can you confidently tell the Chairman that
18 that didn't happen?

19 A. I can, yes. Like, the article says large numbers of staff.
20 I don't know how that could be kept a secret, you know.
21 Nobody knew anything about this until years later when the
22 article was published and when the garda came to myself,
23 you know.

24 135 Q. Yes. And may the Chairman take it that in all your time
25 and experience, you never heard of a private wire going to
26 or from the garda station being interfered with?

27 A. That is quite correct, you know.

28 136 Q. And in the example that you gave in your answer to Mr.
29 Hayes about doing it outside The Ramparts at some other
30 place, the same difficulty would be there for any person in

1 trying to identify what the private wire was in the frame?

2 A. Of course it would, yes.

3 137 Q. And those cables are pressurised outside The Ramparts,
4 going out to the junction box, isn't that right?

5 A. They should be, and the expert down the back could probably
6 tell you whether these were or not. I am absolutely
7 certain, though, that they would be, you know.

8 138 Q. Thank you.

9

10 MR. O'CALLAGHAN: No questions, Chairman.

11

12 MR. COFFEY: No questions.

13

14 MS. O'SULLIVAN: No questions.

15

16 CHAIRMAN: Thank you very much.

17

18 MR. HAYES: I have no questions arising. Thank you very
19 much, Mr. Commins.

20

21 CHAIRMAN: Thank you very much, you've been very helpful.
22 I am grateful to you for coming.

23

24 THE WITNESS THEN WITHDREW.

25

26 MR. HAYES: The next witness, then, Chairman, is Mr. Peter
27 Clarke.

28

29

30

PETER CLARKE, HAVING BEEN SWORN, WAS EXAMINED BY MR. HAYES
AS FOLLOWS:

139 Q. MR. HAYES: Good morning, Mr. Clarke.

A. Good morning.

140 Q. I think you work for Eircom as a jointer, is that correct?

A. That's correct.

141 Q. And you have done that now for some 30-odd years, is that correct?

A. 31 years in September gone.

142 Q. In September gone. I think that are you familiar with the article that was written in the *Phoenix*?

A. Yes, I have seen it a few years back, yeah.

143 Q. And I think that the work of a jointer, am I correct in saying, could involve the type of work described in the article, is that right?

A. That's correct.

144 Q. And it would also involve working by connecting wires to the MDF in the Exchange, is that correct?

A. That's correct, yes.

145 Q. And did you work on the internal or the external operations?

A. External operations: construction.

146 Q. So you were bringing the wires and the cables from outside into the Exchange?

A. New cables in, yes.

147 Q. Yes. Now, the article refers to, as we have heard, a slit being made in a PUT cable; I think a PUT cable simply, it's the large --

A. It's a large dry-filled cable. There is no grease in it.

1 There is grease-filled cables, there is dry cables.

2 148 Q. And these were?

3 A. PUT, meaning Poly-Unit Twin, it's a terminology we use for
4 the cable.

5 149 Q. Yes. I think that these cables were air pressurised, is
6 that correct?

7 A. That's correct.

8 150 Q. And the Chairman has heard previously that the purpose of
9 that was to prevent moisture getting in should there a
10 break in the cable at any point?

11 A. Correct.

12 151 Q. And is it correct, then, that there was an alarm attached
13 or an alarm would sound should there be a drop in air
14 pressure on any of the cables?

15 A. Yes, all of those go up to the first floor and are
16 connected to a Drallim machine, it's a pressure machine
17 sending air pressure out onto the cables, which in return
18 are alarmed.

19 152 Q. Now, I think that that alarm is now, it's a now
20 computerised alarm?

21 A. Yes.

22 153 Q. In 1989, do you recall what was the -- what type of alarm
23 was being used?

24 A. It was an audible alarm which would go off throughout the
25 Exchange building.

26 154 Q. So if there was an alarm sounding, anybody in the building
27 would hear it?

28 A. Yes.

29 155 Q. I see. Now, the suggestion is that a cut was made in the
30 cable to extract a pair of wires from it. What was the

1 system in 1989 or, I suppose even in 1987, for identifying
2 which pair of wires related to which particular line?

3 A. There was cable records kept.

4 156 Q. And where were they kept?

5 A. They were at the far end of the building.

6 157 Q. And did anybody who had access to the building, would they
7 have had access to the records or were they --

8 A. No, they were in a room on their own and it would be just
9 jointing staff or construction staff or maintenance staff
10 would go in there and check cable pairs.

11 158 Q. I see.

12 A. The article referred to a slit in the cable. That is not
13 the terminology I would use.

14 159 Q. What would you call it?

15 A. Sheathing would be removed. Cable sheathing would be
16 removed.

17 160 Q. I see. And were you actually then --

18 A. A slit, to me, refers to somebody with a knife and slitting
19 the cable.

20 161 Q. Yes. A slice?

21 A. Yes.

22 162 Q. So you are actually removing kind of a block of the cable,
23 is that correct?

24 A. Yes, it would remove, yes.

25 163 Q. I see. To work on a 400 pair cable and to get at the wires
26 inside it, what sort of size of a hole, then, would you
27 require to make?

28 A. Maybe 2 metres.

29 164 Q. About 2 metres?

30 A. There is no 400 pair cable anyway going to up to the frame.

1 165 Q. I see. What cables were used?

2 A. It's a 2,400 pair.

3 166 Q. And that has 4,800 wires in it?

4 A. Correct, yes.

5 167 Q. When you were putting in the air pipes to pressurise the
6 cables, I think you had to make, obviously you had to make
7 a hole in the cable?

8 A. Yes.

9 168 Q. Into which you put a brass tap?

10 A. Yes, a valve on it.

11 169 Q. A valve?

12 A. Yes.

13 170 Q. Am I correct, then, that you then repaired that by putting
14 a heat sleeve over it and shrinking it?

15 A. Yes, there is a piece of equipment comes with the valve
16 attached, a heat-shrink, and it's shrunk then on to the
17 cable with a gas torch.

18 171 Q. Yes. What size of a sheath would be needed to repair the
19 nozzle entry hole?

20 A. They come in various sizes depending on the size of the
21 cable. They have a number attached to the sleeve, there is
22 sleeve 1, sleeve 2 and sleeve 3 and so on.

23 172 Q. I see. Would they be 2 metres long?

24 A. No.

25 173 Q. No. I think subsequent to this article you made
26 investigations to see if could you see any sign of a cable
27 being tampered with in the means described, is that
28 correct?

29 A. That's correct, yes.

30 174 Q. Did you find any evidence of such tampering?

1 A. Absolutely none.

2 175 Q. If it had been -- if a cable in the cable chamber had been
3 adjusted in the manner described, would that evidence be
4 there still?

5 A. Of course, yeah. Yeah.

6 176 Q. I think am I correct in saying that the cables that were
7 put in in 1984 are still the cables that are there now?

8 A. Same cables.

9 177 Q. There may be some additional cables going on?

10 A. Yeah.

11 178 Q. But a cable that was there in 1987 is there now?

12 A. Still there, yeah.

13 179 Q. Is there any other way of removing the evidence other than
14 by heat-shrinking a sleeve on to it?

15 A. Not my knowledge.

16 180 Q. From the work that is described in the article from, first
17 of all, from starting by cutting a slit in the cable, then
18 by identifying the pair of wires that you require, by
19 attaching a jumper to it and removing that and then by
20 heat-shrinking a sleeve back on to it to cover the damage
21 and then repressurising the cable, how long would that
22 entire operation take, in your opinion?

23 A. A number of hours, two, three, four hours, maybe.

24 181 Q. Four hours. Mr. Roddy gave, it's his opinion it could take
25 possibly four to five hours. Would you disagree with that?

26 A. No, I wouldn't disagree with that, no.

27 182 Q. Is it correct to say that once the heat sleeve has been
28 shrunk, and that I think you have described is done by
29 exposing it to flame, is that correct?

30 A. Flame, yes.

1 183 Q. Is that required to cool before you can repressurise?

2 A. Absolutely yeah.

3 184 Q. Does that take time itself to do?

4 A. Probably an hour, an hour-and-a-half.

5 185 Q. I see.

6 A. You say a jumper was --

7 186 Q. A jumper, a jumper was taken from the cable and attached to
8 a recording device hidden --

9 A. From the cable, a jumper?

10 187 Q. Yes.

11 A. A jumper is a very small pair of wires.

12 188 Q. Is that correct?

13 A. You cannot shrink down a sleeve on a small pair of wires.

14 189 Q. And what would happen if you did?

15 A. It would disintegrate, melt. It's not possible. When you
16 branch off a cable, a smaller cable from the larger cable,
17 it comes to a shrink as well and has a moisture barrier put
18 on to it to protect it from the flame.

19 190 Q. Yes. Well, if they then did it in any other way, would it
20 require, then, a substantially larger wire?

21 A. Yes, a larger cable.

22 191 Q. A larger insulation on the cable?

23 A. Yes.

24 192 Q. What sort of size would that be required to be, do you
25 think?

26 A. Maybe a 100 pair cable, maybe, would be the smallest.

27 193 Q. I see. Now, it describes as having been left in a piece of
28 jointer's equipment, jointer's test equipment, that is what
29 I think we understand to be a megger box, is that correct?

30 A. Or, as Tommy says, an Ohm-Metre 18A or B, that's the

1 technology we used, or terminology.

2 194 Q. And were they always a yellow box or were they?

3 A. No, it was a green one as well.

4 195 Q. A green one as well?

5 A. Yes.

6 196 Q. But were they all of a similar size?

7 A. Yes.

8 197 Q. Now, Mr. Commins described it as being about nine inches
9 square or thereabouts?

10 A. A large lunch box.

11 198 Q. A large lunch box?

12 A. Yes.

13 199 Q. And were they, I suppose, a sought-after item?

14 A. Very much so, yeah.

15 200 Q. If you had seen one lying about, what would you have done
16 with it?

17 A. Take it away anyway. I wouldn't leave it lying around.

18 201 Q. Yes. Now, when you open the cable underground, is there
19 any differentiation between the pairs of wires contained
20 within the cable; do they all look the same, in other
21 words?

22 A. They are colour-coded.

23 202 Q. They are colour-coded, OK. And how do you identify which
24 particular wire is the one you want?

25 A. You must know the make-up of the cable, particular size of
26 cable. Each cable has a different make-up and it must be
27 fanned out, tied out, and has coloured whippings on it, so
28 you must know how to read the cable.

29 203 Q. And how do you do that?

30 A. Well we know the make-ups of the cables. A jointer should

1 know it.

2 204 Q. And do you need to count the actual cable that you are
3 looking for?

4 A. Yes.

5 205 Q. And is there a system for doing that?

6 A. There is.

7 206 Q. When you say you take the cables out and you have to tie
8 them up, is that you take them out in small bundles and tie
9 them to --

10 A. You remove, as I say, depending on the size of the cable,
11 maybe a metre of sheathing and you tie back the whippings
12 around each bundle, they are in bundles of 25.

13 207 Q. So you bundles you don't need you take away, is that right,
14 you take to the side?

15 A. You tie them back, yes.

16 208 Q. Presumably can you tell from the records whether the cable
17 you are looking for is near the outside -- sorry, if the
18 wires you are looking for are near the outside of the cable
19 or buried deep in the middle of the cable, can you tell
20 that from the record?

21 A. You could, yeah.

22 209 Q. You could?

23 A. Yeah.

24 210 Q. Presumably, or is it the case that if your wire is closer
25 to the outside it's obviously easier to get at than the
26 wire buried in the middle of the cable?

27 A. Obviously, yes, yes.

28 211 Q. But if you had to get at one in the middle of the cable,
29 does that take you much time to count out and identify?

30 A. Yes.

1 212 Q. It does?

2 A. Yes, yes.

3 213 Q. OK. Do you then, when you are finished, have to bundle the
4 wires back in the correct order or --

5 A. Well you neatly pack them back. Otherwise the shrink
6 sleeve won't go back down on the cable.

7 214 Q. Yes. Now, I think you -- if the -- you have told us that
8 there is the MDF above the cable chamber. Is my
9 understanding correct that at the MDF each individual pair
10 of wires gets connected individually to a connection point,
11 is that correct?

12 A. To a terminating point.

13 215 Q. To a terminating point?

14 A. Yes.

15 216 Q. OK. Is it a more straightforward thing should you want to
16 tap a wire, to do it there rather than in the cable
17 chamber?

18 A. I would think so, yes.

19 217 Q. Do you think it would be less noticeable there or more
20 noticeable?

21 A. Less noticeable, maybe.

22 218 Q. Why do you think that would be?

23 A. Well, the jumper wires on the frame have a certain colour
24 for certain circuits. For ordinary line it's one colour,
25 maybe private wires would be different colour, maybe, or...

26 219 Q. Yes.

27 A. It's much easier to do it without going to the trouble of
28 going down into a cable chamber and opening up a cable.

29 220 Q. If you wanted to do it there, how long would it take you?

30 A. Not very long.

1 221 Q. Are you talking an hour?

2 A. Maybe less.

3 222 Q. Less?

4 A. Yes.

5 223 Q. I think it wasn't part of your job to check for taps or for
6 wires out of place?

7 A. No. As I said, I was a construction jointer.

8 224 Q. That would have been the work of internal people insofar as
9 it was done?

10 A. Well, maintenance people.

11 225 Q. Maintenance people?

12 A. Yes.

13 226 Q. OK. Am I correct in saying that in respect of private
14 wires, that while they may have a different function to an
15 ordinary telephone line, that there is no visible
16 difference between them if you are looking at the cable?

17 A. No, there is no visible difference.

18 227 Q. And is that the same on the MDF box, they'd look exactly
19 the same as a pair of wires at a termination point?

20 A. That's correct, yeah, yeah.

21 228 Q. Can you recall where or how records of the private wires
22 were kept in Telecom at the time?

23 A. They were kept in the cable trays --

24 229 Q. Yes.

25 A. -- in the far end of the building.

26 230 Q. I see. And they had restricted access, like the other
27 cards, is that correct?

28 A. Yes. There was no computerisation of the records at that
29 time; they were kept in trays just with handwritten, you
30 know.

1 231 Q. Yes. Thank you very much. If you'd answer any questions
2 that any other party has.

3

4 THE WITNESS WAS CROSS-EXAMINED BY MR. MCGUINNESS

5 AS FOLLOWS:

6

7 232 Q. MR. MCGUINNESS: Mr. Clarke, good morning, I appear for An
8 Garda Siochana.

9 A. Good morning.

10 233 Q. Just a couple of questions. Part of your responsibilities
11 included working on overhead and underground cables?

12 A. That's correct.

13 234 Q. And you would also be responsible for jointing, that's
14 terminating as an opening and sealing, where necessary, any
15 such cables?

16 A. Correct, yes.

17 235 Q. And insofar as the cables in the cable chamber in The
18 Ramparts are concerned, you actually examined those?

19 A. I did.

20 236 Q. And you saw no evidence of anything described in the
21 article?

22 A. I did not see any evidence of it, no.

23 237 Q. And insofar as the boxes are concerned, the megger boxes or
24 the --

25 A. Ohm-Metre 8A, yeah.

26 238 Q. They are highly visible in vibrant colours?

27 A. Yes, very vibrant yellow colour, and the old type was a
28 green colour.

29 239 Q. Yes. And can you confidently say to the Chairman, with
30 your knowledge and experience, that there is no possibility

1 that such a box could be left in the cable chamber
2 containing cassette recorders for a number of years?

3 A. Absolutely none.

4 240 Q. Or for any period?

5 A. No.

6 241 Q. Still less, hanging around the MDF termination blocks?

7 A. No, they were too valuable a piece of equipment.

8 242 Q. Couldn't go unnoticed?

9 A. Couldn't go unnoticed, no.

10 243 Q. Thank you.

11

12 MR. O'CALLAGHAN: No questions.

13

14 MR. COFFEY: No questions.

15

16 MS. O'SULLIVAN: No questions.

17

18 MR. HAYES: There was one thing which is not by way of
19 re-examination but I neglected to ask it and I wonder if I
20 could do that now.

21

22 THE WITNESS WAS EXAMINED FURTHER BY MR. HAYES AS FOLLOWS:

23

24 244 Q. MR. HAYES: Mr. Clarke, in your experience in Eircom or in
25 Telecom, were there ever or are there engineers that have
26 been trained by British Telecom employed?

27 A. No, not in my experience.

28 245 Q. Thank you very much.

29

30 CHAIRMAN: Thank you very much, Mr. Clarke, you have been

1 very helpful.

2

3 MR. MCGUINNESS: Just before Mr. Clarke goes, perhaps there
4 is one other question I ought to have asked.

5

6 CHAIRMAN: Sorry, Mr. Clarke, would you mind coming back,
7 Mr. McGuinness has another question for you.

8

9 THE WITNESS WAS CROSS-EXAMINED FURTHER BY MR. MCGUINNESS AS
10 FOLLOWS:

11

12 246 Q. MR. MCGUINNESS: Thank you, Mr. Clarke. Did you know
13 Mr. Gerry Finnegan well?

14 A. I did indeed, yes.

15 247 Q. And if he had learned of any such alleged interception as
16 described in the article, can you say what he is likely to
17 have done about that?

18 A. Oh he would absolutely report it and bring it to the
19 attention of his superiors.

20 248 Q. Did you ever hear of that being done?

21 A. No.

22 249 Q. And in terms of any members of the Investigation Branch
23 coming to Dundalk, did you -- were you ever interviewed by
24 one or three or two or any members of the Investigation
25 Branch?

26 A. No.

27 250 Q. If three members came to investigate such an intercept and
28 allegedly interviewed all staff with access to the
29 building, would you have heard about that?

30 A. I am sure I would, yes.

1 251 Q. Did that happen?

2 A. It didn't happen, to my mind.

3

4 CHAIRMAN: Thank you very much.

5

6 THE WITNESS THEN WITHDREW.

7

8 MR. HAYES: Chairman, as I say, those are the two witnesses
9 that were scheduled for this morning. The witness who is
10 scheduled for this afternoon is here and I think if it were
11 convenient, he could be taken now. You would certainly be
12 done before lunchtime.

13

14 CHAIRMAN: I think that is very sensible.

15

16 MR. HAYES: Very good. If I could call Mr. Fintan Nelson,
17 please.

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1 FINTAN NELSON, HAVING BEEN SWORN, WAS EXAMINED BY MR. HAYES
 2 AS FOLLOWS:

3

4 252 Q. MR. HAYES: Good afternoon, Mr. Nelson. I think you are
 5 employed as a technician by Eircom?

6 A. That's correct.

7 253 Q. I think you, similar to Mr. Clarke, you have been employed
 8 in that capacity for upwards of 30 years?

9 A. I was until two years ago when I retired.

10 254 Q. Very good. Are you similarly familiar with the article
 11 that was written in the *Phoenix* magazine?

12 A. I saw it at the time and I would have kept a copy and I
 13 have since read it.

14 255 Q. Yes. And I think you also were interviewed by Detective
 15 Inspector Kelly and by the Tribunal?

16 A. Absolutely, yes, the man's name I would not have known, we
 17 were in the Exchange and he came in to us.

18 256 Q. I see. Now, I think insofar as your work with Eircom was
 19 involved, it would involve --

20 A. Working with cables.

21 257 Q. With cables?

22 A. Absolutely.

23 258 Q. And has done for your entire time?

24 A. For my duration there, yes.

25 259 Q. Now, and the Chairman has seen photographs of the cable
 26 chamber and of the cables contained therein. What sort of
 27 height is the ceiling of the cable chamber?

28 A. It's approximately about 5 metres high, give or take. It's
 29 about -- I'm about 5 foot 6, it could have about twice my
 30 height.

1 260 Q. About 10 to 12 feet?

2 A. About 10 to 12 feet.

3 261 Q. And how long is it?

4 A. Probably, it runs quite a length. I'd say about 80 metres.

5 It runs the full length of the building underneath the
6 chamber -- sorry, underneath the main first floor.

7 262 Q. Almost the length of a football pitch?

8 A. Not unlike the size -- around the size of this room, not
9 just as wide and probably a little bit longer.

10 263 Q. I see. OK. The cables that come into it, they come into
11 the chamber from the outside and then they get brought up
12 through the ceiling of the chamber?

13 A. Brought up through the ceiling and, as Peter said, seldom
14 in sizes of 400, to maximise the cable sizes, which were
15 brought up and then they were distributed on the main cable
16 frame in blocks of 100 and up to, maybe, even since I think
17 there is 3,200 pairs can be coming in in a cable and
18 distributed like so.

19 264 Q. Yes. Now, I'd asked Mr. Commins and he suggested that
20 perhaps the witnesses coming after him might be more
21 familiar. When a cable, for example, leaves the person's
22 house, it leaves it as a pair of wires, is that correct?

23 A. That's correct.

24 265 Q. And it joins up with more and more wires?

25 A. The journey usually from a house or from any business, shop
26 or whatever, is, an individual phone line has two wires, it
27 goes from the house probably to a footpath or a pole on
28 some occasions. It then goes into a smaller cable,
29 something like a 10 or 15 pair, like whatever tributaries,
30 extends back usually to a box called a cabinet --

1 266 Q. Yes.

2 A. -- where the cable coming from the house is terminated,
3 something similar to the Exchange. Then on the other side
4 of the same cabinet you have the cables coming directly
5 from the Exchange, which is actually the opposite end to
6 what we are speaking about in the chamber.

7 267 Q. Yes.

8 A. And there is a cross-connection made at that point in the
9 cabinet.

10 268 Q. Right. Is it correct to say that the cabinet is a mini
11 version of the Exchange?

12 A. Absolutely.

13 269 Q. And so the cabinet then gets its way back to the Exchange?

14 A. Basically in the cabinet you have the connection point
15 between the cable going to the houses or premises,
16 whatever, and connected to the back end, we will call it,
17 of the cable leaving the Exchange. In the Exchange then,
18 that cable in turn, as it goes back to the Exchange, is
19 terminated in the Exchange and is, from there, connected to
20 whatever, which I am not overly familiar with other than,
21 for example, dial tones come from upstairs, I honestly
22 wouldn't too au fait with that. Basically our end of it
23 was to get the cable from a shop, or whatever, back through
24 the cables and terminate on the block in the Exchange and
25 then after that, in theory, we were finished with it, we
26 jumpered it across to a select coded unit that would
27 actually be its dial tone.

28 270 Q. I see. Your job is to get it as far as the Exchange?

29 A. Absolutely.

30 271 Q. And it was somebody else's job to --

1 A. To take it from there to wherever.

2 272 Q. To wherever. OK. Am I correct then to surmise that the
3 cables were a considerable length?

4 A. The cables came in lengths of -- the cables were literally
5 as long as they needed to be. They had to get from A to Z
6 and if that was mile or two miles or three miles, you know,
7 basically a cable length went from A to B and would
8 decrease in size naturally enough the further you were from
9 the exchange.

10 273 Q. Yes. Now, I think then, as we have been told also, that
11 these cables, they were dry cables, is that correct?

12 A. They were dry cables entering the Exchange because they
13 needed to be under -- pressurised.

14 274 Q. Yes. And the Chairman has previously been told that the
15 reason for the pressurisation was to keep moisture out
16 should there be a break in the cable?

17 A. If there was a break in the cable, twofold: one, it would
18 activate an alarm between two points. If you had a cable
19 going, we will say at 400 metres, there would be an alarm,
20 a unit that would activate an alarm.

21 275 Q. Yes.

22 A. At the next 400, or wherever, you may have something
23 similar, and by that we were able to deduce, and I didn't
24 work directly on that, but by that you were able to deduce
25 within what section the cable was faulty.

26 276 Q. I see. Were they transducers?

27 A. I think they are called transducers, yes.

28 277 Q. And that would allow to you pinpoint to within a workable
29 area --

30 A. Within, most likely, a cable length, it could be up to 400

1 metres.

2 278 Q. But certainly rather than having to check an entire length
3 of a cable?

4 A. Correct.

5 279 Q. And I think should there be any drop in the pressure, did
6 an alarm sound?

7 A. These cables were connected, as Peter said, to a machine in
8 the exchange called a Drallin or Drallim machine, I am not
9 sure how it was spelt, and an alarm would be activated
10 there, quite an audible alarm.

11 280 Q. Yes. And that was heard through the entire building?

12 A. That would be heard in the Exchange, and I am not sure,
13 maybe lads upstairs, it might even have gone by whatever
14 means to maybe a panel or something upstairs, but from our
15 point of view we would not have had reason to be in the
16 next floor, shall we say, where the mechanisms of the whole
17 Exchange were but we would actually hear it and there was
18 actually a visible -- something like if you look at a
19 thermometer or something, there was a glass gauge with a
20 little air bubble, we will call it, fluctuating at a
21 constant level, depending on the level of the air, and then
22 would decrease -- more or less like a thermometer insofar
23 as this little bubble, you would see it drop down if there
24 was a leakage in air and probably fluctuate because of the
25 fact that within reason, if there was a leak, naturally,
26 the natural thing was for this Drallim machine was to
27 produce more air to pump into that cable.

28 281 Q. Right.

29 A. And therefore you'd see the little bubble fluctuate.

30 282 Q. Yes. Now, the air pipe, if you like: about what sort of

1 size was that?

2 A. The air pipe was about the size of a big straw. You mean
3 the pipe that came from the cable?

4 283 Q. Yes.

5 A. It was about the thickness of a straw.

6 284 Q. Right. To put the air into the cable, we have been told
7 that there was a brass valve that was --

8 A. Yes, you would open a length of the cable, as Peter said,
9 you would remove the sheathing leaving the wires inside
10 intact, and then there was a sleeve, something similar to
11 that, that was a wraparound and more or less halfway in
12 that there was a valve or an opening made of copper that
13 was part of the actual sleeve.

14 285 Q. Right.

15 A. And whatever you were to take out, in this case it was a
16 brass, copper/brass type piping, which was the air tubing,
17 and it was connected and that was folded across the cable,
18 any size, as Peter said, depending on the size, and that
19 would be zipped and shrunk down using a torch.

20 286 Q. And how long would it take you to heat-shrink that?

21 A. The preparation work and everything, definitely an hour or
22 two, depending on the size of the cable. You could have
23 something like a 200 pair, naturally enough would be done
24 much more quickly than a 3,200 because the thinking behind
25 it was you had to be really careful because, for one thing,
26 insufficient heat would cause it to go down incorrectly and
27 too much heat would actually cause it to burn.

28 287 Q. Yes. Perhaps, just we are going to put a photograph up,
29 Photograph Number 10. Now, is that -- that is the end
30 product of what you are talking about?

1 A. That is the valve coming out. My eyesight is not that
2 good, but the blueish colour is the pipe going most likely
3 up and into the Drallim machine.

4 288 Q. Yes.

5 (Photograph handed to the witness.)

6 You can see that slightly more clearly, perhaps.

7 A. Thank you.

8 289 Q. I think there is a black cable coming out of the brass
9 valve, is that correct?

10 A. The black is not actually a cable; it's a piping. It's --
11 there is no wires in that. That is just an air passageway.

12 290 Q. Sorry, you will have to excuse my confusion of --

13 A. It took me a while to learn it, too.

14 291 Q. That is an air pipe, is that correct?

15 A. That is an air pipe. There is no wire in that.

16 292 Q. And the cable which contains the wires is the black thing
17 at the bottom?

18 A. The black kind of, it's rough looking, that is an actual
19 sheathing. On occasion in them you can actually have a
20 wire within that, now it can be twofold, and it's to allow
21 the air in and it takes the wire back which activates the
22 alarm.

23 293 Q. Right.

24 A. Sorry, I misled you there saying there was no wire in it.
25 There can be a singleton pair of wires.

26 294 Q. I see. And that is for the alarm?

27 A. That is for the alarm.

28 295 Q. Yes. Underneath, then, the plastic cover of the cable, is
29 there any sort of a moisture barrier?

30 A. There is a moisture barrier. It's like tinfoil.

1 296 Q. Right. And under that barrier are the wires?

2 A. Under that barrier, then, you can -- and some of the
3 cables, and depending on when they were manufactured, you
4 can have roles of paper or plastic in some instances, do
5 you know, something like the internals of a cornflake bag,
6 and then you have the wires very, very tightly packed
7 inside that.

8 297 Q. I see. And presumably you want to fit as many wires as you
9 possibly can by means of -

10 A. They are done at the manufacturing stage and they are
11 done -- we would never literally manufacture a cable, it's
12 not something -- do you know, they come on a drum made up
13 in 400, 800, 1200, anything from two pairs up to 3200
14 pairs.

15 298 Q. And the pairs of wires are prepacked into the cable when
16 they come to you?

17 A. Absolutely, we'd never manufacture a cable.

18 299 Q. OK. Now, if you wanted to do what is described in the
19 article by way of slitting the cable and extracting the
20 wires, what sort of a size of a cut would you be required
21 to make?

22 A. As Peter said, anything, depending on the circumference of
23 the cable, from a metre maybe to a metre and a half,
24 bearing in mind that they are so tightly packed that, and
25 assuming you had to even to get in halfway into the cable,
26 these cables are such that you have no leverage with them
27 insofar as you caught your hair and pull it together to fan
28 it out in the centre, or whatever, like that, you cannot
29 physically do that. So basically, you have to divide the
30 pairs to get into them.

1 300 Q. Yes.

2 A. Especially when it's unbroken, you need a lot of distance
3 to get minimum movement in to splay the cables out. Sorry,
4 the pairs -- I don't mean the cables. Sorry, to enable you
5 to pick any cable pair, you need to be able to spread them
6 out.

7 301 Q. I see. And do you do that by hand or is it there a
8 particular tool by doing it?

9 A. You would do it by hand.

10 302 Q. Do it by hand. Now, Mr. Clarke told the Chairman not long
11 ago that you wouldn't simply make a slit in the cable, is
12 that correct?

13 A. The cable sheathing is removed using a special tool, you
14 are not supposed to, but we probably often did, using a
15 penknife, making sure not to cut any of the wires inside.
16 And it's probably -- there is a special tool that you turn
17 and turn and turn and probably, from experience, you would
18 realise kind of how far you can go. But I probably have
19 done it in the past, used a knife, probably not recommended
20 by our schoolings, but it was easier and quicker for us,
21 but in time you knew the depth that you needed to go.

22 303 Q. Yes. But what I am asking is, did you require to remove a
23 large section of the cable or did you simply make a slit
24 down it?

25 A. No, if you think about it, if you just make a slit you can
26 see nothing. If you make a slit in a cable you might see a
27 little bit of tinfoil, but basically to see the internals
28 of a cable it requires removing the sheathing completely
29 around the cable.

30 304 Q. I see. In respect of when they are sealing the thing back

1 up and have removed a cable from it to connect to a
2 recording equipment, if they connected a wire to it, do you
3 have any opinion as to what would happen to the wire
4 when --

5 A. Absolutely. If you were to look at the photograph there,
6 if you can imagine without even the brass bedding, to take
7 a wire from that, the amount of heat needed to shrink the
8 sleeve would very, very likely melt any wire that they
9 would take out, as Peter said.

10 305 Q. Yes. Could it be done with a thicker -- more thickly
11 insulated wire?

12 A. If you think about it, as suggested in the article, it
13 could possibly have been done like so, but bearing in mind
14 then, rather than have a wire leaving there, you now have a
15 tubing of some shape or make which, to follow the article
16 through, would then be very, very visible.

17 306 Q. Yes.

18 A. And to see something like that going into the, we call it
19 the Ohm-Metre 18A or B, it would stick out like a sore
20 thumb. And just on the Ohm-Metre 18A or B, they are, do
21 you know, the people, to read that you have the impression
22 you are talking about an empty box. There is a -- that is
23 a test equipment that is actually, with the exception of
24 the lid and the kind of volume inside the lid, that box is
25 full of equipment all in the one unit. You have a gauge on
26 it, you have several different buttons and levers.

27 307 Q. Because, if you have a look at Photograph No. 78 in the
28 book in front of you.

29 A. Sorry, they are not numbered.

30 308 Q. They should be numbered at the bottom left-hand side of it.

1 A. Sorry. I have it, thank you.

2 309 Q. Is that what you are describing?

3 A. Absolutely. Now, that lid, to close down on that is a
4 sealed unit. It's not something you would leave over and
5 it actually, to close that lid, like your top teeth coming
6 and your bottom, if you had any, unlike me, that would
7 definitely pinch a wire. For that to be closed properly
8 down and for a wire to be going in and, as I said in the
9 other picture, if you were taking a wire from a cable so
10 that it wouldn't be burned, it in itself would have to be
11 in a second piping or whatever and that definitely would be
12 visible. It's just something I would, and no one I am sure
13 in Eircom ever, ever saw.

14 310 Q. So the lid of the box would have to be left open to allow a
15 wire to go into it?

16 A. Yes.

17 311 Q. What were the boxes made from? Are they plastic?

18 A. Little plastic PVC fiberglas type of thing.

19 312 Q. A tough plastic?

20 A. Yes.

21

22 CHAIRMAN: That box looks fairly solidly packed with
23 material. Would there be room for a tape recorder in there
24 as well?

25 A. I would doubt it, Sir, I would doubt it. To my knowledge
26 there are four screws -- that is a unit in itself that is a
27 machine, it's a tester, that is all in the one section type
28 of thing. And the box is only because of the fact that you
29 would be using that externally on roads, in holes, down
30 chambers or whatever, when I mean chambers it can be any

1 box along the road. It's just because it gets a lot of
2 abuse. You know, we're up and down, it's, probably
3 shouldn't be, thrown into the back of van or thrown out,
4 I'm quite sure on occasion has been dropped. It's very
5 solid.

6 313 Q. It needs to be robust?

7 A. It needs to be robust, and it's waterproof, hence I would
8 suggest that the lid, as it closes down, would overlap by
9 maybe three-quarters of an inch across the bottom of the
10 box to give it a solid seal.

11 314 Q. You may not know this because you may not ever have
12 investigated it, but underneath the black lid, if you like,
13 the black face with the dials on it, is there -- is the
14 bottom of the box filled with equipment, do you know?

15 A. I have never honestly opened one. I would doubt it.
16 Hence, if there was space there, it wouldn't necessitate
17 such a bigger box. Why not make it smaller and there is no
18 need for a vacuum.

19 315 Q. Yes. If there had been a box like that lying around or
20 sitting on top of cables in the cable chamber for a period
21 of years, what do you think would have happened to it?

22 A. I would say a box like that with that unit inside it
23 wouldn't last a day insofar -- two things: well I won't
24 say I would take it or keep it or whatever, we could always
25 do it, but we knew each other in the staff a room and we
26 knew -- like, if it was Peter Clarke, well I know 'PJC'
27 would be on the front of it and if it was me, 'FN' would be
28 on it somewhere in our initials and I would give it to
29 Peter.

30 316 Q. Yes.

1 A. Or whoever, sorry. Basically, nobody would leave them,
2 they were so scarce, and they were prone to getting broken
3 and knobs coming off and whatever, and it was such a
4 valuable piece of equipment for us in our work we needed it
5 to be in good mechanical order.

6 317 Q. Yes. Now, the article describes that having got into the
7 cable, a jumper was put on to a pair -- a private wire, on
8 to the pair of wires for a private wire?

9 A. Yes.

10 318 Q. Were the private wires, am I correct in saying, were simply
11 intermingled with the ordinary phone lines, is that
12 correct?

13 A. A private wire, in this instance, is -- there is 1 to 800,
14 for example, in an 800 there is absolutely no difference in
15 the wires. A private wire is nothing only in name only,
16 being, as Tommy and I think Peter said as well, on a
17 private wire there is no actual dial tone. When you lift
18 your handset at home and you hear the dial tone, it's
19 audible. There is actually no sound; there is nothing.
20 For all intents and purposes, it's a dead pair of wires.

21 319 Q. Right. So the -- while there may be a difference in
22 function between a private wire and a standard telephone
23 line?

24 A. The function would be exactly be the same. The function in
25 any pair of wires would have been to take, be it dial tone
26 or whatever, from A to Z or A to B.

27 320 Q. I suppose what I am saying is, there is a difference in
28 function insofar as the private wire is only from A to B,
29 whereas my telephone line is from A to anywhere?

30 A. Well, not necessarily. B can be your house.

1 321 Q. Yes.

2 A. Sorry, I misled you. Basically, it's to carry, I have a
3 voice, as in the private wire, or dial tone in an ordinary
4 telephone line.

5 322 Q. Yes.

6 A. But there is absolutely no difference between the cable
7 from -- within the length of the cable, it doesn't vary.
8 It's no way -- like, if I was to open a cable I can't tell
9 you by looking at it that that is a private wire, that is
10 9336127; there is no difference. You just do exactly the
11 same. They are part of the one cable.

12 323 Q. Yes. Thank you. Mr. Clarke described to us the process of
13 identifying the actual pair of wires that you are looking
14 for in a particular cable. Do you recall where you got
15 the -- how you sought the details of which particular wire
16 was the one you were looking for?

17 A. If I was looking for -- it would be -- at the outset it
18 would be impractical to try to pick a wire out in those
19 kind of circumstances. When we would be originally
20 jointing a cable, as Peter described, all the wires are
21 fanned out. You have the fact that they are at loose ends,
22 you have -- you are able to fan them out. They are in
23 units of 25s, as in 50s broken down in two units of 25s,
24 and the thing that wasn't mentioned is the cables are
25 counted from the centre out. Pair 1 in that cable is
26 actually the centre core, maybe it might be 1, 2 and 3,
27 depending, as Peter said, on the make-up of the cables.
28 But, for example, pair 800 is on the outside.

29 324 Q. But is it correct then to say that to find pair 800 you
30 have to start in the middle and count your way out?

1 A. Not necessarily insofar as I know that 800 would be the
2 last pair, but if I was asked to pick out pair 500 and
3 12 --

4 325 Q. You'd start --

5 A. Well I'd go to the shortest one insofar as, and you could
6 count backwards from 800 or if you had access, you would
7 count forward from 1. And plus, we also -- the cables are
8 in pairs, they are then in units, and then they are in
9 layers, and we'd have the outside layer in cores, as they
10 are call them, and we would actually know the first -- The
11 only pairs of wires in the cable identified were the first
12 and last pair in each layer as you folded it back. I don't
13 know whether you have seen a cable folded back, but you
14 have a centre core, you then have the next core, and they
15 just fold back, that's on a broken cable that you are
16 actually going to work on, and would you know the first and
17 last pair in each layer of the cable. And there is a lot
18 of layers in an 800 or in, as Peter said, in this case
19 probably most of the cables would be 800 to 1,200 pair.

20 326 Q. Yes. How difficult would it be to tap a line at the MDF?

21 A. At the MDF it wouldn't be a huge problem because you would
22 have access to individual pairs as they are terminated on
23 the block. To access a pair in the chamber would be
24 practically impossible and rather stupid insofar as you can
25 do it 8 feet over your head, do you know, the pairs are
26 there, you would need to know the cable. The cables would
27 be labelled in the Exchange A, B, C, D, and so on. Cable A
28 could be 1,200 pair, 2,500 pair. If you knew the cable
29 pair you wanted you could access it there quite easily.

30 327 Q. Yes.

1 A. But would very likely be noticed.

2 328 Q. I see.

3 A. In other words, you would have a secondary wire across a
4 wire that would not normally have two.

5 329 Q. OK. But as I understand it, is it your evidence that a
6 set-up such as described in the cable chamber would also be
7 easily spotted?

8 A. Sticking out like a sore thumb. Anything untoward, if you
9 are to go back to the first photograph. You have a cable
10 coming in, you have a sleeve across it with the air
11 take-off point, and you have a thing called an air block
12 which is like a plastic tubing which is put between the air
13 block and the Exchange, basically not to allow the air to
14 go back up into the cable -- sorry, back up into the cable
15 MDF room. It's just an air block, it's an epoxy resin that
16 is put on when the cables were put in originally.

17 330 Q. To make an absolute seal?

18 A. To make an air barrier as opposed to moisture barrier. In
19 other words, to keep the air that is being pumped into the
20 cable intact, to keep it there.

21 331 Q. I see. Can you tell the Tribunal was the cable chamber
22 prone to flooding in Dundalk?

23 A. To my knowledge, yes it was, on occasion. But I remember
24 an instance where one of the men actually got a few quid --
25 there was a pump there on standby, and I do believe one of
26 the lads one time suggested we put a second pump into it
27 just in case, and it was an incredibly simple thing to
28 think about, in case it would go down. To my knowledge,
29 there was two pumps primed and ready to go in the event of
30 flooding.

1 332 Q. And the flooding, was it ever deep flooding?

2 A. To my knowledge, no. It's not a place, to be honest with
3 you, that we would have been in very, very often.

4 Basically, the only time you would go in, probably Exchange
5 staff may check it out on occasion for flooding or
6 whatever, but basically once that cable was in and
7 everything done on it as in the air take-off and the
8 moisture barrier, there was absolutely no reason for to go
9 near that cable. The only time you would go near that
10 cable again is on the next floor where the cables were
11 terminated.

12 333 Q. Or at the junction --

13 A. Like, I would not have been in that chamber, in all the
14 years if I was in it ten times in all those years was the
15 height of it, and the occasion I would have been in it last
16 was after having been spoken to about the possibility of
17 what's in the magazine and, like Peter, absolutely zilch,
18 nothing.

19 334 Q. Was the cable chamber kept locked then or...

20 A. I am not absolutely sure.

21 335 Q. OK.

22 A. But the likelihood is that it was, but we -- any time we
23 would have been there, in other words we wouldn't be going
24 into it at half eight in the morning directly; it probably
25 or possibly was open. It never -- funny, it's not
26 something I ever would have thought about.

27 336 Q. OK. Then, just can I ask you, do you know whether any of
28 the Eircom engineers have been trained by British Telecom?

29 A. Absolutely not. It was actually years later, just
30 coincidentally, I, as it happened, would have worked in

1 England, as would quite a few others, and it was -- we had
2 to do a thing called an accreditation, we had to be
3 examined to know were we capable of working for them, and
4 it probably would go without saying that we probably knew
5 more than them when we did work, it was in the '90s, long
6 before this. To my knowledge, no BT staff were ever in the
7 Exchange, to my knowledge. There was, I think maybe years
8 later, where a few fellas, and not necessarily on cables or
9 whatever, would have worked for BT in Belfast. That came
10 to my mind at the time, but absolutely nothing to do, it
11 was more clerical, to my knowledge, than it would have been
12 to do with engineering staff.

13 337 Q. I see. I suppose just in conclusion, is it the case that
14 what is described, do you think, is technically possible,
15 is that correct?

16 A. It is technically possible. It would take a long, long
17 time to do it, to do it properly. It would be very, very
18 noticeable and it would really be stupid to do it, like,
19 so, bearing in mind it's like crossing the road and waiting
20 for an hour to cross the road and a pedestrian crossing 10
21 yards down the road, that is how sillily it was.

22 338 Q. I see.

23
24 CHAIRMAN: It would leave a lasting mark?

25 A. Sorry, it would be seen, it would be there today, as Peter
26 said. As the cables are -- those cables are in probably
27 from when the Exchange opened, untouched, I think there was
28 one exception, I remember talking to Peter about it, where
29 a cable got damaged by an electrical fault, which I think
30 was rectified and it probably is exactly as it was then,

1 today. But nothing that I saw then had changed from the
2 cables as they were originally entering that chamber.

3 339 Q. Do you think that any cable jointer would, if he wanted to
4 get the end result that is described, have done it in this
5 way?

6 A. Absolutely not.

7 340 Q. Thank you very much, Mr. Nelson.

8

9 THE WITNESS WAS CROSS-EXAMINED BY MR. MCGUINNESS

10 AS FOLLOWS:

11

12 341 Q. MR. MCGUINNESS: Just a couple of questions, Mr. Nelson. I
13 appear for An Garda Siochana. You were working for the
14 company at the time the new Exchange was put in?

15 A. That's correct.

16 342 Q. In this area?

17 A. In that area, and in general. I would have been not
18 necessarily working with the units that put in these cables
19 but I would have been familiar with them.

20 343 Q. Yes. Just one thing, just I suppose it's probably obvious,
21 but the guards didn't come and say "put our wire in your
22 cable" or ask you to do it?

23 A. The only people that would ever give me a job was my direct
24 boss, as in the case of be it, Lord have mercy on him,
25 Gerry Finnegan, who I worked for, very, very seldom, or my
26 boss, was more often than not, was a man called Gerry
27 Donnelly, also deceased, but I would never have taken
28 instruction from anybody other than my direct superior.

29 344 Q. But the private wires we are talking about, they are wires,
30 as it were, that were already built into the cables that

1 were installed in the system?

2 A. That's correct, but we would treat a private wire exactly
3 the same. If I was sent to fix a private wire that was
4 faulty or the wire in your own house, I would treat it and
5 repair it exactly the same, bearing in mind there is
6 absolutely no difference as that cable runs through --
7 sorry, as that pair runs through the sheathing. The only
8 difference that happens after that is where they are
9 terminated upstairs in the Exchange, a place I would not
10 have had access to.

11 345 Q. Yes. Just going back to the beginning when the Exchange
12 was built and cabling was put in, when that cabling was put
13 in that we have seen in the cable chamber, nobody could
14 know what wires in any of the cables they were going to be
15 allocated to any particular function?

16 A. Absolutely not.

17 346 Q. So, at the time of their installation and before they were,
18 as it were, made live and put into live lines, nobody could
19 know what wire was going to a garda station?

20 A. Absolutely not, in my opinion, not.

21 347 Q. And then when, and if private wires were allocated to any
22 particular function, the wires in the cable are
23 indistinguishable from any other wires?

24 A. If we were asked, and I didn't work in the, when I say
25 construction, in other words if I was asked to provide a
26 new private wire, it would be done exactly the same as if I
27 was asked to provide an ordinary telephone circuit.

28 348 Q. Yes. Except the records of the private wires are kept
29 securely, as far as you know?

30 A. In the Exchange, as Peter said, we'll say it was cable A

1 for talk sake, cable A would be down as being A1 to 400,
2 800, 1,200, whatever it is, and it would just be then down,
3 no telephone number, no nothing, it would be recorded as to
4 where it was on the frame.

5 349 Q. Yes.

6 A. And if there was something on the right-hand side, it would
7 be what pair it was recorded against at the junction, the
8 box, the cabinets, as we call them, further out the line.
9 There would be no reference at that point to a telephone
10 number. You may see PW, but you'd never see, for example,
11 PW going to O'Neill's shop, or PW going to McDonald's farm.
12 If the initials 'PW' were written, it could be one of
13 hundreds, probably, that was in Dundalk.

14 350 Q. Yes. And what you are saying, as I understand it, is that
15 the information as to what wires are going where is
16 recorded technically by reference to the main distribution
17 frame by reference to numbers and not names?

18 A. By reference to numbers. In other words, cable A was known
19 as cable A, basically, numbers 1 to 400 or 800, whatever.

20 351 Q. Yes. And would you agree with me the type of interception
21 described in the article is confused and impractical and,
22 on the evidence, impossible?

23 A. I would agree with that. It strikes me somebody with very,
24 very scant knowledge, someone actually that thought they
25 knew more than they did actually said that. It looks like
26 somebody spoke to someone that had a very, very vague idea
27 of what happens within an Eircom cable, never mind a cable
28 chamber.

29 352 Q. Yes. And I don't want to go over the technical details
30 again, but a cut in the cable isn't possible; you have to

1 remove the whole sheath?

2 A. You can cut a cable but you would absolutely see nothing.

3 353 Q. Yes.

4 A. You know, if you took any -- if you took the cable off the,
5 the flex off your kettle and you actually just put a slit
6 on it, you may see a blue or a red or a yellow and green,
7 you wouldn't have a clue what it is. If you wanted to
8 access that wire, if you think about it, even your flex in
9 your kettle, you would have to strip back the outer
10 sheathing to make the internals, not just visible to you
11 but workable, insofar as you are going to need a little
12 distance -- probably a good analogy to use is the flex of
13 your kettle, if I was to ask you to take the yellow and
14 green wire out of that flex, you need to go a certain
15 distance in that to allow you to gain a -- and bearing in
16 mind there is three wires in that. If you can imagine a
17 cable with 2,400, or in the case of an 800 pair, 1,600
18 wires, it's impossible. It's not -- nothing is impossible
19 but it's very much impractical.

20 354 Q. Yes. But, theatrically, to do it, as I understand what you
21 are describing is, you have to do a cut around the totality
22 of the circumference of the cable at one part and then a
23 totality and remove the whole of the sheath?

24 A. And then between those two circumference cuts, you would
25 make, call it slit or whatever, we never refer to it as a
26 slit, you probably could say you split the cable, but that
27 makes reference to cutting it like that, you split the
28 sheathing, I suppose, and remove the sheathing.

29 355 Q. Leaving aside the Drallim machine and the alarm and the
30 repressurisation, simply redoing the sheath using the heat

1 method that you would have to use, that would melt any sort
2 of single wire that the article was talking about?

3 A. Absolutely a hundred percent. The intensity of that heat
4 required to heat that is, I don't know if there is a
5 measurement on heat but it's intense.

6 356 Q. Now, did you know the late Mr. Gerry Finnegan?

7 A. I was actually a neighbour of the late Mr. Gerry Finnegan
8 before I worked in Eircom at all.

9 357 Q. And he went up the ranks to become an Inspector?

10 A. Long before my time.

11 358 Q. An engineering superintendent. Was he a very conscientious
12 man?

13 A. Probably one of the most conscientious men, even outside
14 Eircom, I ever met in my life.

15 359 Q. He was described, I think, as old school?

16 A. He was, as it happens in my case personally, probably one
17 of my father's best friends.

18 360 Q. Yes. And if he had found anything or if anything had been
19 reported to him, what, can you tell the Chairman, that he
20 would have done?

21 A. Beyond any shadow of doubt, Mr. Chairman, Gerry Finnegan
22 would have relayed what he saw to his superiors, beyond any
23 shadow of a doubt.

24 361 Q. Yes. The article, obviously he also suggested that he did
25 find this or this was reported to him and that there was an
26 investigation done with the Investigation Branch and that
27 three members came up and interviewed all staff who had
28 access to the Exchange. Did that happen?

29 A. Absolutely not. As I read the article, and Tommy alluded
30 to it a little there, it looked like the -- it took a man

1 who was not there to be able to answer for himself, it was
2 easy to say the name of that man, bearing in mind he could
3 not answer for himself, the fact that he was dead. But
4 there is no doubt that Gerry Finnegan, as I knew him, would
5 definitely have reported anything untoward to his
6 superiors.

7 362 Q. And if three investigators or inspectors, or call them what
8 you will, came up and started questioning staff and all
9 staff who had access, you would know about that?

10 A. I never saw one, in all my 32 -- 31 point whatever years, I
11 never saw -- The only people I ever saw to do with law or
12 investigation ever in Eircom was the two -- I think it was
13 two members of An Garda Siochana that would have spoken to
14 myself and Peter the first day we knew this inquiry was
15 ongoing.

16 363 Q. And can you just confirm one other thing for me? The
17 cables that go out, they are pressurised after they leave
18 The Ramparts, and pressurised as far as their destination
19 junction box?

20 A. They are pressurised and the same type of air block is
21 fitted.

22 364 Q. All the same issues arise?

23 A. All the same issues arise.

24 365 Q. Thank you.

25

26 CHAIRMAN: Any other questions?

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28 MR. COFFEY: No questions.

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30 MR. O'CALLAGHAN: No questions.

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MS. O'SULLIVAN: No questions

CHAIRMAN: Thank you very much, Mr. Nelson. You have been most helpful and I am grateful to you for coming.

MR. HAYES: That concludes somewhat earlier than anticipated. I think the next evidence is at 11 o'clock tomorrow morning.

THE TRIBUNAL THEN ADJOURNED TO THE 27TH OF OCTOBER, 2011,
AT 11 A.M.

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