

The following items of information are taken from internal Scottish Government briefings. They are provided as extracts because the rest of the briefings covered subject matters which are outside the scope of your request.

Item 1: Extract from briefing for Finance Ministers Trilateral meeting on 11 July 2016.

Northern Ireland Border Poll

Sinn Féin has said there is a "democratic imperative" for a border poll after Northern Ireland voted to remain in the EU.

- *The 1998 Good Friday Agreement and subsequent Northern Ireland Act 1998 provided that - if it appears likely a majority of Northern Ireland voters wish to leave the UK and form part of a united Ireland - the Secretary of State may, by order, direct the holding of a 'border poll' on that question.*
- *If such a vote supported Irish unity, UKG would be required to facilitate it in cooperation with the Irish government. Before unity occurred, it would need to be backed by concurrent referenda in both Ireland and Northern Ireland.*
- *Opinion polls have consistently shown majority support for Northern Ireland remaining in the UK.*
- *In 2014 an opinion poll conducted for the Belfast Telegraph asked "If a referendum on Irish Unity was called under the Good Friday Agreement would you vote: Yes for unity as soon as possible, Yes for unity in 20 years, or No for Northern Ireland to remain as it is". Excluding the 'don't knows', 7.7% wanted unity now, 32.5% favoured it in 20 years, while 59.8% favoured the status quo.*

Item 2: Extract from general briefing note - Northern Ireland and Brexit – September 2016.

Northern Ireland Border Poll

Sinn Féin has said there is a "democratic imperative" for a border poll after NI voted to remain in the EU.

- *The Good Friday Agreement and subsequent NI Act 1998 provided that - if it appears likely a majority of NI voters wish to leave the UK and form part of a united Ireland - the Secretary of State may direct the holding of a 'border poll'.*
- *If such a vote supported Irish unity, UKG would be required to facilitate it in cooperation with the Irish government. Before unity occurred, it would need to be backed by concurrent referenda in both Ireland and Northern Ireland.*
- *Opinion polls have consistently shown majority support for Northern Ireland remaining in the UK.*
- *In 2014 an opinion poll conducted for the Belfast Telegraph asked "If a referendum on Irish Unity was called under the Good Friday Agreement would you vote: Yes for unity as soon as possible, Yes for unity in 20 years, or No for Northern Ireland to remain as it is". Excluding the 'don't knows', 7.7% wanted unity now, 32.5% favoured it in 20 years, while 59.8% favoured the status quo.*
- *Taoiseach Enda Kenny has said Brexit talks should take into account the possibility of a future poll on a united Ireland. He said negotiators should consider that a clause in the Good Friday Agreement could be triggered that would result in the calling of a*

referendum. He added it required "clear evidence of a majority of people wishing to leave the UK and join the Republic".

- James Brokenshire said there was "a clear, constitutional settlement in relation to the border poll and it's also clear to me that opinion does not support a change".

Item 3: Extract from Summary Briefing Note – BIC Summit Cardiff – 24/25 November 2016

Northern Ireland Border Poll

Sinn Féin has said there is a "democratic imperative" for a border poll after Northern Ireland voted to remain in the EU.

- *The Good Friday Agreement and subsequent Northern Ireland Act 1998 provided that - if it appears likely a majority of Northern Ireland voters wish to leave the UK and form part of a united Ireland - the Secretary of State may, by order, direct the holding of a 'border poll' on that question.*
- *If such a vote supported Irish unity, UKG would be required to facilitate it in cooperation with the Irish government. Before unity occurred, it would need to be backed by concurrent referenda in both Ireland and Northern Ireland.*
- *Opinion polls have consistently shown majority support for Northern Ireland remaining in the UK.*
- *In 2014 an opinion poll conducted for the Belfast Telegraph asked "If a referendum on Irish Unity was called under the Good Friday Agreement would you vote: Yes for unity as soon as possible, Yes for unity in 20 years, or No for Northern Ireland to remain as it is". Excluding the 'don't knows', 7.7% wanted unity now, 32.5% favoured it in 20 years, while 59.8% favoured the status quo.*
- *Taoiseach Enda Kenny has said Brexit talks should take into account the possibility of a future poll on a united Ireland. He said negotiators should consider that a clause in the Good Friday Agreement could be triggered that would result in the calling of a referendum. He added it required "clear evidence of a majority of people wishing to leave the UK and join the Republic".*
- *James Brokenshire said there was "a clear, constitutional settlement in relation to the border poll and it's also clear to me that opinion does not support a change".*

Item 4: Ireland – Briefing for meeting between Dr Alistair Allan, Minister for International Development and Europe and Mark Hanniffy, Consul General for Ireland, 24 May 2018

Irish Reunification Poll

UK Ministers have been shown polling from October that suggests opinion in NI is drifting towards a united Ireland. Another finding suggests that leaving the EU with no deal on the border could shift voters in Northern Ireland decisively in favour of leaving the United Kingdom and joining the Irish Republic.

Reports in the media suggest that some Conservative MPs are warning that intrusive technology used to enforce a "smart border" could also undermine support for the constitutional status quo. One idea for a UK government smartphone app to track movement across the border is causing particular concern, amid fears that it would be unacceptable to republicans in the North.

The Times reported that Mrs May rejected claims by Mr Rees-Mogg that a referendum on the reunification would be easily won at a private meeting on Monday (14/05) night. She

argued that she was not prepared to take risks with the integrity of the Union. The intervention was seen by some Remain-supporting Tory MPs as an important argument in their favour, while angering hard Brexiteers.

Following the Times article Sinn Fein suggested that a new referendum on Northern Ireland should be called immediately.

Michelle O'Neill, the Sinn Fein deputy leader, said: "If these reports are accurate, Theresa May is conceding that the Good Friday agreement threshold for triggering a Unity poll has been met but that she isn't prepared to allow the people of Ireland, North and South, to exercise their democratic right.

"That is an appalling display of contempt for the democratic rights of Irish citizens. It is also a fundamental breach of the Good Friday agreement which clearly provides for a referendum. Theresa May has no right to deny democratic entitlements to the people of Ireland, North and South."

This renewed constitutional uncertainty comes on the day the Scottish parliament is preparing to vote to deny legislative consent on the EU withdrawal bill, the first time that Holyrood and Westminster have clashed in this way, raising the constitutional temperature.