

## ***What do voters in Northern Ireland think about the Protocol on Ireland/Northern Ireland?***

David Phinnemore, Katy Hayward and Lisa Whitten

As part of a three-year ESRC-funded research project on the *Protocol on Ireland/Northern Ireland*, a series of regular surveys has been commissioned to 'temperature test' voter attitudes on a range of issues relating to Brexit, the Protocol, and their implications for Northern Ireland.<sup>1</sup>

The surveys are being conducted quarterly during 2021-2023 by [LucidTalk](#) using its online Northern Ireland Opinion Panel.<sup>2</sup> This means that the survey is not based on systematic random sampling across Northern Ireland (NI) society. Instead, it is a reliable indicator of the opinion of NI voters across the spectrum, who take an interest in current affairs and politics, and who are likely to exercise their right to vote. From the sample of 2682 responses, the results presented here are weighted to be representative of the adult population of Northern Ireland (e.g. by age, gender, party support). All results presented are accurate to a margin of error of +/-2.3% at 95% confidence.

### **The context for this poll**

This third survey was undertaken on 8-11 October 2021, so nine months into the post-transition period of Brexit and four months after the [second survey](#) in June 2020. A [first survey](#) was completed in March 2021. Much has happened since the second poll to shape the context for this poll.

Shortly after the June poll, the UK government made a formal request to the European Commission to extend the 'grace period' for preparations for new checks and controls on chilled meat products moving from Great Britain to Northern Ireland that was due to expire on 30 June 2021. The European Commission agreed to the request and indicated a [package of measures](#) to address some other issues related to the implementation of the Protocol. Immediately before that, Maroš Šefčovič, the European Commission Vice-President responsible for the implementation of the Protocol and EU-UK relations, gave [evidence](#) for the first time to a committee of members of the Northern Ireland Assembly (MLAs). The end of June also saw the High Court in Belfast [dismiss](#) two applications for judicial review challenging the Protocol.

In July, Sir Jeffery Donaldson [replaced](#) the recently installed Edwin Poots as DUP leader and announced as one of his core objectives the removal of 'the Irish Sea border's pernicious impact on [Northern Ireland's] trading and constitutional position'. A week later, Lord Frost, the UK Minister responsible for the Protocol and UK-EU relations, also gave [evidence](#) to a committee of MLAs. On 21 July 2021, the UK government published a Command Paper entitled [Northern Ireland Protocol: the way forward](#) noting that the Protocol is 'failing' to deliver on its objectives and calling for 'significant changes' to be made. The following week, the European Commission published proposals for the

implementation of the Protocol in respect of [medicines](#) and some [sanitary and phytosanitary \(SPS\)](#) measures. It also [paused](#) legal action launched in March 2021 against the UK for alleged breaches of the Withdrawal Agreement and the Protocol.

In early September, Lord Frost [announced](#) that the UK government was unilaterally extending existing 'grace periods' and other 'easements'. The European Commission ['took note'](#), adding that it would 'not [be] opening any new infringements for now' against the UK. Three days later Maroš Šefčovič visited Belfast and [met](#) with politicians and representatives of business and civil society to discuss the Protocol.

Towards the end of September, a ninth meeting of the EU-UK Specialised Committee took place with the [UK Government](#) and [European Commission](#) issuing separate press releases. Four days later, leaders of the four main unionist parties in Northern Ireland signed a [declaration](#) affirming their opposition to the Protocol and calling for it to be 'rejected and replaced' by arrangements that 'fully respect Northern Ireland's position as a constituent and integral part' of the UK. At the Conservative Party Conference, in early October, Lord Frost, announced that the UK government was planning to send legal texts to the EU based on its Command Paper and [warned](#) that if the two sides did not come up with a solution, 'using the Article 16 safeguard mechanism to address the impact the protocol is having in Northern Ireland...may in the end be the only way to protect our country, our people, our trade and our territorial integrity, the peace process and the benefits to this great UK'.

The poll therefore took place before Lord Frost delivered his 'Observations on the Present State of the Nation' [speech](#) in Lisbon (12 October 2021) where he discussed UK-EU relations and the Protocol. It also occurred before the European Commission published [four 'non-papers'](#) (13 October 2021) concerning the implementation of the Protocol with proposals for addressing 'the difficulties that people in Northern Ireland have been experiencing because of Brexit'.

Poll survey participants were asked six sets of questions and offered the opportunity to provide written comments in response to the poll. The questions covered attitudes towards Brexit and the Protocol, assessments of the impact of the Protocol, issues of concern, trust in different actors to manage it, and knowledge of Article 16 and grace periods. The survey also asked participants how they would like their MLAs to vote in the 'democratic consent vote' on the Protocol that will be held by the NI Assembly at the end of 2024. A final section included questions on various issues, including options for the governance of the Protocol and whether the UK would be justified in triggering Article 16.

### **Attitudes to Brexit and the Protocol**

Current opinion on Brexit and the Protocol remains divided and generally consistent with the previous two temperature testing polls in March and June. However, there have been some shifts in opinion.

Three quarters of respondents now claim a 'good understanding' of the Protocol (see Figure 1); previously it was seven in ten. The proportion of respondents who think that

reliable information on the Protocol is available is now at just over two fifths (43%), so slightly higher than in previous polls (37% in March; 40% in June).

That ‘particular arrangements’ for Northern Ireland are needed to manage the effects of Brexit is a view shared by just over two thirds of respondents, with just less than half strongly of this view – the overall figure represents a slight increase on the June (67%) and March (65%) polls. There is also a slight increase in the proportion of voters – up from 57% in June to 60% in this poll – who disagree or disagree strongly that Brexit is on balance ‘a good thing for the UK’. There is a corresponding decrease – to one third – in the proportion of respondents who agree or strongly agree with the proposition.

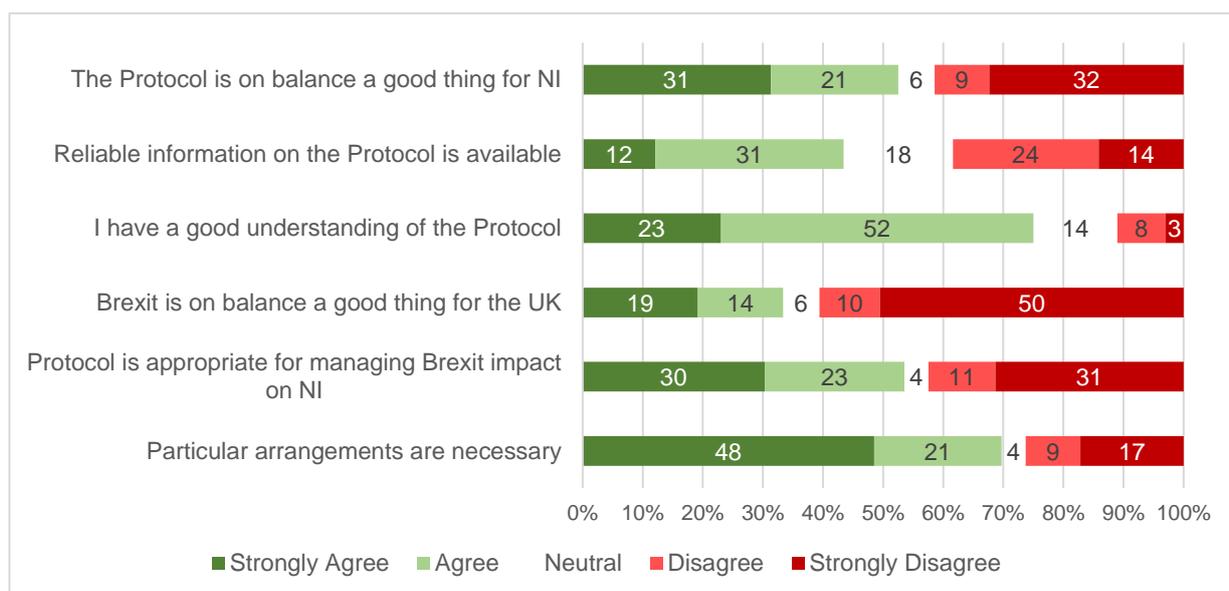


Figure 1. Opinion of Brexit and the Protocol

Larger shifts can be seen regarding views more specifically on the Protocol. The proportion of respondents who agree or strongly agree that the Protocol provides an appropriate means for managing the effects of Brexit for Northern Ireland has increased to 53% compared to 46% in June. A slightly larger increase can be seen in responses to whether the Protocol is on balance ‘a good thing’ for Northern Ireland. In the latest poll, 52% of respondents agree, whereas in June it was 43%.

This shift in opinion in acceptance of the Protocol is also reflected in responses to the question on whether the Protocol provides Northern Ireland with a ‘unique set of post-Brexit economic opportunities compared to the rest of the UK which if exploited could benefit Northern Ireland’. In the latest poll, 62% of respondents agree – an increase on the June (57%) and March (50%) polls. The proportion of respondents who disagree with the proposition decreased from 34% in June to 26% in October.

### Views on impact of the Protocol

A substantial majority of respondents continue to view the Protocol to have a negative impact on a range of matters (see Figure 2). However, as in the June poll, opinions have shifted on some topics. In the first poll, no more than a third of respondents saw the

current impact of the Protocol to be positive in relation to selected topics. In June 2021, the figures had increased to, or towards, 40% support in terms of the Protocol’s impact on the economy of Northern Ireland, protecting the 1998 Agreement, and north-south cooperation on the island of Ireland. In the October poll, more than two fifths of respondents viewed the Protocol as having a positive effect in these areas, with positive views exceeding negative views.

In the case of the economy, the proportion of respondents seeing the effects of the Protocol as positive has increased from one third in March to just over half in October. It should be noted, however, that grace periods for the implementation of some aspects of the Protocol are in place and that the October poll occurred against a backdrop of reports of notable supply shortages and examples of empty supermarket shelves in Great Britain.

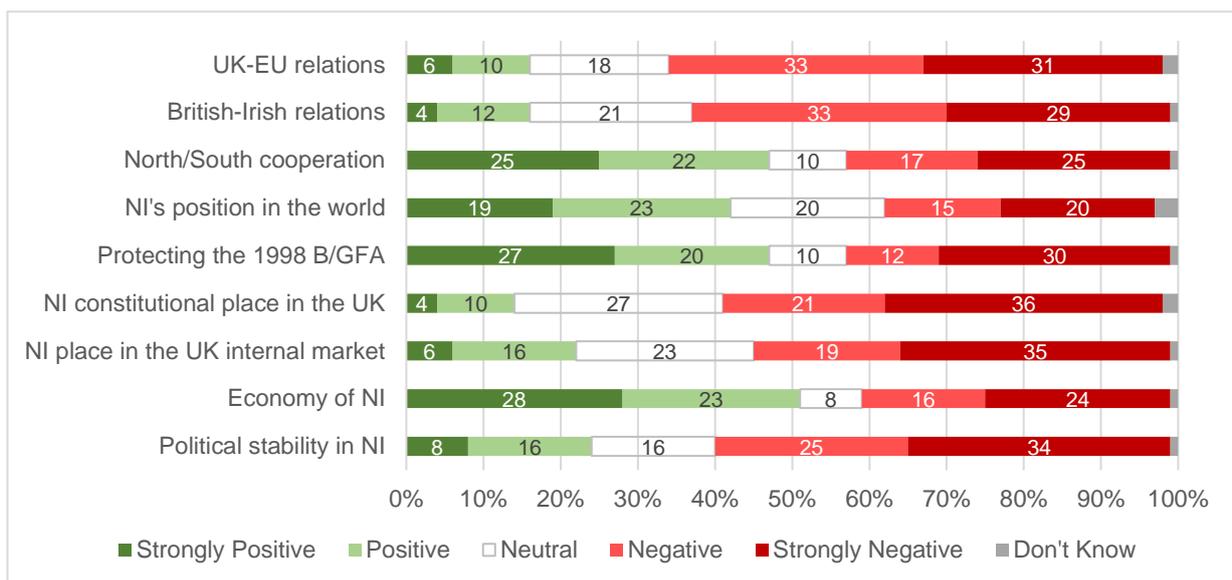


Figure 2. Overall assessment of the current impact of the Protocol

For most topics, a majority of respondents continue to see negative impacts; in some cases, the majority remains considerable. Nearly three fifths of respondents (59%) see the Protocol impacting negatively on political stability in Northern Ireland, although this is lower than in June (68%). The Protocol’s impact on British-Irish relations and UK-EU relations is similarly regarded by around three fifths of respondents (62% and 64% respectively) as negative. There is an improvement, however, on the June poll figures (67% and 70% respectively).

Shifts can also be seen in views on the impact of the Protocol on Northern Ireland’s constitutional position in the UK and its place in the UK internal market. The size of the majorities (57% and 54% respectively) has declined since June (62% and 60%). On the impact of the Protocol on ensuring ‘no diminution’ of individual rights as set out in the 1998 Agreement, opinion has shifted here from being marginally negative (39% positive against 43% negative) in June to being more positive (45% positive against 40% negative) in October.

Views expressed in the written comments also reveal the largest number of respondents (210) characterising the Protocol as necessary and/or beneficial if it can be depoliticised and implemented rationally:<sup>3</sup>

‘Brexit was a bad idea. The Protocol ease[s] some of the hardship caused by Brexit.’

‘The Protocol, if worked with a lighter touch, could be a good thing.’

‘There is an opportunity for jobs and an economic boost. Political parties should be putting the future of the people here above their usual posturing and positioning based on unionism v nationalism.’

‘The Protocol grants NI with fantastic opportunities.’

As in the June poll, the next largest set of comments (122) reflect negative views on the Protocol and on why it exists. Around half of those who articulated a wholly negative view of the Protocol also called for it to be ‘scrapped’; these respondents’ concerns tended to be expressed in strong terms:

‘Scrap the union dismantling protocol now and restore Northern Ireland as a full integral part of the United Kingdom.’

‘Scrap the Protocol, even if it means conflict with the EU.’

‘Protocol needs to go. No question.’

### **Prioritizing concerns about the Protocol**

Previous polls revealed clear majorities with concerns about different aspects of Brexit and the Protocol. A range of issues causing concerns were flagged in the UK government’s Command Paper in July. Respondents in this poll were asked to rank these, although it was clear from comments received that some respondents were uncomfortable with ranking issues because they either did not have any concerns about the issues or did not want to include all of them in their ranking. The results of the poll should therefore be regarded not as an indicator of the intensity of concerns, but as an indication of the relative importance of each issue as a matter of concern.

Based on the frequency with which each of ten issues featured towards the top and towards the bottom of each respondent’s ranking, the main issues of concern relate to the impact of the Protocol on the availability of medicines in Northern Ireland and the customs paperwork required for the movement of goods from Great Britain into Northern Ireland.

These are followed by the lack of involvement of elected representatives, officials and civic society from Northern Ireland in the governance of the Protocol, and the prohibitions and restrictions on chilled meats entering Northern Ireland from Great Britain.

Of less concern are: Northern Ireland applying EU VAT and excise rules; the jurisdiction of the EU’s Court of Justice for settling disputes regarding EU law applicable under the Protocol; retailers changing suppliers from those in Great Britain to local and/or EU suppliers to maintain the supply of goods; the continued application of EU rules on

subsidy controls and state aid; and new requirements for bringing pets from Great Britain into Northern Ireland.

Concerns around the building of border control post infrastructure in ports in Northern Ireland are split. For a quarter of respondents, it is a 'top two' concern; for 30% of respondents, it is a 'bottom two' issue.

### Trust to manage the interests of Northern Ireland *vis-à-vis* the Protocol

The implementation of the Protocol involves a range of actors. As with the March and June, the only group that is trusted by a majority (54%) to manage the interests of Northern Ireland with respect to the Protocol are NI business representatives.

Indeed, trust among survey respondents in the ability of all other actors to manage the interests of Northern Ireland in respect of the Protocol remains strikingly low (see Figure 4). This was particularly true of the UK government previously and the results have not changed. More than four fifths of respondents (87%) continue to distrust the UK government (and a majority distrust it a lot).

	Distrust				Trust			
	Distrust a lot	Distrust	Total	June	Trust	Trust a lot	Total	June
UK Government	57	30	87	86	3	1	4	6
NI Executive	19	34	53	52	13	0	13	17
Irish Government	33	12	45	48	28	13	41	38
European Commission/EU	36	8	44	48	27	18	45	40
Alliance	29	14	43	43	28	11	39	43
DUP	57	18	75	78	11	3	14	13
Sinn Féin	44	11	55	56	17	17	34	31
SDLP	29	16	45	42	28	12	40	42
UUP	18	24	42	39	22	6	28	32
NI Business Representatives	6	12	18	18	36	18	54	56

*Figure 3. Levels of trust in and distrust of actors to manage the interests of Northern Ireland with respect to the Protocol*

By contrast, distrust of the European Commission/EU has declined to 44%, with almost the same proportion (45%) now indicating trust in the European Commission/EU. The gap between levels of distrust (45%) and trust (41%) in the Irish government has also narrowed. Trust in the NI Executive to manage the interests of Northern Ireland with respect to the Protocol has meanwhile declined to just 13%. Distrust of the NI Executive remains essentially unchanged.

In this poll, we asked again about levels of trust in/distrust of the five political parties that form the NI executive. Those trusted most are the Alliance Party (39%) and the Social Democratic and Labour Party (SDLP) (40%), the figures being slightly down from

the June poll. Distrust of them has increased slightly. A third of respondents trust Sinn Féin (34%) and just over a quarter trust the Ulster Unionist Party (UUP) (28%), but levels of distrust are markedly higher for Sinn Féin (55%) than for the UUP (42%). As in June, it is notable how many respondents – three out of ten – remain neutral towards the UUP. Three quarters of respondents say they distrust the Democratic Unionist Party (DUP).

Comments provided by poll respondents include significant criticism of the UK government led by Prime Minister Boris Johnson, with a high number of responses (95) focusing on its overall handling of Brexit:

‘The Protocol is not the issue: Brexit is...The Protocol is making the best of a bad situation. The UK government should have prepared society for the implications of Brexit by doing a comprehensive risk assessment and then explaining it in full to all. Staggering incompetence to this day!’

‘Protocol is necessary because of the type of Brexit that Johnson, Frost and DUP wanted.’

Comments also reflect concerns with the UK government’s approach to the implementation of the Protocol and its perceived disregard for the interests of Northern Ireland:

‘I believe the UK government is putting rigid ideology about sovereignty before the needs of people in Northern Ireland (UK citizens) and that a veterinary agreement removing over 80% of checks posed by the EU seems reasonable and a good start to dealing with the Protocol and its effects...’

‘The UK does not seem to be listening to the voice of the majority of the people on NI and business leaders here. The UK government seems to be playing a political game for its own purposes using the Protocol as a negotiating weapon.’

And with regard to the political parties in Northern Ireland, again, criticism of the DUP is particularly prevalent:

‘DUP need to stop arguing against the Protocol and work with it.’

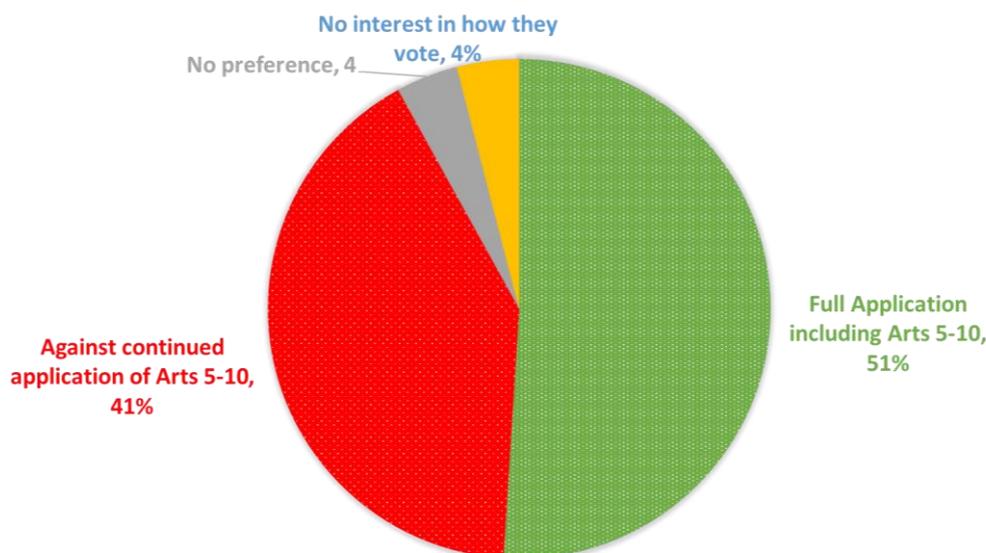
### **Democratic consent**

The future of core provisions of the Protocol – those relating primarily to the movement of goods (i.e. Articles 5-10) – is subject to the democratic consent of members of the Northern Ireland Assembly (MLAs) as frequently as every four years. MLAs will first vote in November/December 2024.

Most respondents (91%) have a view on how they wish their MLAs to vote: 51% in favour of the continued application of Articles 5-10 and 41% against (Figure 4). The figures in June 2021 were 46% and 45% respectively, so there is a marked gap in views in this last poll. In the March poll, more respondents supported a vote in favour (47%) of the continued application of Articles 5-10 than a vote against (42%).

Most respondents say they will vote in the next NI Assembly election (expected in 2022) for candidates who share their view. In results also higher than in the last poll, 45% say they will only vote for candidates in favour of the continued application of Articles 5-10

of the Protocol; 37% say they will only vote for candidates opposed to its continued application. Of those who want their MLAs to oppose the Protocol, more than two thirds want it removed in its entirety (although this is not possible under the terms of the consent vote).



*Figure 4. How voters would like their MLAs to vote on the Protocol in the 2024 Democratic Consent vote*

### Understanding of the Protocol

In all three polls to date, three quarters of respondents have indicated a ‘good understanding’ of the Protocol. Such levels of understanding are reflected in some of the responses to questions posed in the poll about two issues that have featured prominently in debates around the Protocol during 2021: the possible triggering of Article 16; and the content of the ‘grace periods’ that exist for the implementation of the Protocol.

On Article 16, clear majorities correctly note that triggering Article 16 would neither remove the Protocol in its entirety (90%) nor relieve the UK of its obligation to implement the Protocol (81%). Respondents are less certain as to whether triggering Article 16 would mean temporary safeguard measures (43%) – the correct answer – or put the whole Protocol in suspension until an alternative arrangement had been agreed with the EU (42%).

Three quarters or more of respondents correctly answered that the grace periods covered restrictions on chilled meats and sausages being imported into Northern Ireland from Great Britain (79%), but not the jurisdiction of the EU Court of Justice over provisions of the Protocol (77%), the application of EU rules for state aid and VAT (74%), and the loss of rights of non-Irish EU-citizens to live, work and study in Northern Ireland (81%).

Approximately two thirds correctly answered that the grace periods covered EU regulatory approval of medicines and medical equipment for use in Northern Ireland (67%) and full paperwork and potential checks for supermarkets bringing products of

plant and animal origin into Northern Ireland from Great Britain (63%), but not EU inspectors being present in Northern Ireland to oversee the implementation of the Protocol (64%).

Respondents were almost evenly split on whether grace periods covered Export Health Certificates for all plant and animal origin products moving from Great Britain into Northern Ireland (49%), customs declarations for all goods entering Northern Ireland from Great Britain (51%), and customs declarations on personal parcels from Great Britain to Northern Ireland (47%).

### Options for the future

The final section of the poll involved a re-run of some previous questions, a range of options regarding governance of the Protocol, and the question of whether the UK government would be justified in triggering Article 16.

On whether the UK government would be justified in triggering Article 16 *now*, a majority of respondents (53%) said 'no'. Almost two fifths (39%) believe the UK government would be justified in triggering Article 16.

In the re-run questions, a move of formalities, checks and controls from ports and airports in Northern Ireland to the land border between the UK and Ireland is opposed by an increased majority of respondents (56%), but supported by around one third (34%). Two thirds of respondents, as in the June poll, agree that Lord Frost and Maroš Šefčovič should appear regularly before a Committee of the NI Assembly.

A smaller majority (54%) supports the EU having an office in Belfast; 37% are opposed. This result is similar to the March poll.

As regards new questions, around three quarters of respondents agree that officials or experts from Northern Ireland should be invited to attend meetings of EU committees and agencies where they are dealing with EU law applying in Northern Ireland under the Protocol (75%), and that the UK and the EU should put in place formal arrangements to consult regularly with representatives of business and civil society in Northern Ireland on the Protocol (73%).

There is limited support (25%) for MLAs holding a regular debate on the Protocol; indeed, a majority (52%) oppose the idea. A majority of respondents (55%), however, does support the establishment of an NI Assembly committee dedicated to monitoring the implementation of the Protocol; 27% disagree. A narrower majority (51%) supports the idea that the UK government and the European Commission should jointly commission an independent assessment on the implementation of the Protocol; 29% disagree.

### Key Findings

- Opinion on the Protocol continues to be deeply divided. However, whereas opinions with respect to the Protocol and its impact and implementation remained essentially unchanged between previous polls in March and June, the latest poll reveals some shifts in opinion.

- After nine months of implementation, albeit with grace periods in place, the overall assessment of the economic impact of the Protocol among NI voters has moved from being predominantly negative to being positive. A narrow majority of respondents, albeit one within the margin of error, regards the Protocol as being, on balance, 'a good thing' for Northern Ireland.
- After nine months of implementation, the overall assessment of the political impact of the Protocol among NI voters remains predominantly negative.
- Most survey respondents (69%) continue to believe that particular arrangements for Northern Ireland are necessary to manage the impact of Brexit.
- Whereas in the previous polls respondents were evenly split on the question, a narrow majority (53%) now sees the Protocol as the appropriate means for manage the impact of Brexit on Northern Ireland.
- The impact of the Protocol for the supply of medicines to Northern Ireland and for customs paperwork are priority concerns for respondents.
- Removing the jurisdiction of the Court of Justice from the Protocol is not among the top priority concerns for voters in Northern Ireland.
- A majority (53%) of respondents disagree that the UK would be justified in triggering Article 16 now.
- There remain high levels of distrust of those involved in managing the Protocol in Northern Ireland, most particularly so of the UK government (87%).
- Trust in the European Commission/EU has increased although only to the same level of distrust.
- Trust in the Irish government has increased but the level of distrust remains higher.
- Levels of trust in political parties that form the NI Executive to manage the interests of Northern Ireland with respect to the Protocol varies. Levels of distrust are generally higher than levels of trust.
- No political party in the NI Executive is trusted by more than 40% of respondents. The SDLP and Alliance are most trusted, followed by Sinn Féin, and the UUP. Three quarters of respondents distrust the DUP on the Protocol.
- NI business representatives continue to be the only actors who enjoy the trust of a majority (54%) of voters in Northern Ireland when it comes to managing NI interests with respect to the Protocol.
- Respondents are no longer evenly split on how their MLAs should vote in the 2024 'democratic consent' vote; a narrow majority of respondents (51%) favour MLAs voting for the continued application of the Protocol.
- A clear majority of respondents (67%) continues to support the idea of David Frost and Maroš Šefčovič giving evidence on the implementation of the Protocol regularly to a Committee of the NI Assembly.
- A clear majority of respondents (73%) supports regular UK-EU consultation on the Protocol with civil society and business representatives.

- Three quarters of respondents would like to see officials and experts from Northern Ireland attend relevant meetings of EU committees and agencies dealing with EU law applicable under the Protocol.

## Authors

David Phinnemore, Professor of European Politics (QUB)

Katy Hayward, Professor of Political Sociology (QUB) and Senior Fellow, *UK in a Changing Europe*

Lisa Whitten, Research Fellow (QUB)

<sup>1</sup> The project - *Governance for 'a place between': the Multilevel Dynamics of Implementing the Protocol on Ireland/Northern Ireland* – is part of the [Governance after Brexit](#) (Phase II) programme funded by the Economic and Social Research Council (ESRC).

<sup>2</sup> Polling was carried out by Belfast-based polling and market research company [LucidTalk](#) through its online *Northern Ireland (NI) Opinion Panel*. This panel has over 13,000 members and is regularly polled and surveyed to obtain views and opinions on a range of issues relating to Northern Ireland. This panel is balanced by gender, age group, area of residence, and community background. A data auditing process was carried out to ensure that all completed poll surveys were genuinely 'one person, one vote' returns. The base dataset was then weighted by community and other demographic measurements to reflect the demographic composition of Northern Ireland. All surveys and polls may be subject to sources of error, including but not limited to sampling error, coverage error and measurement error. Data was weighted to the profile of all adults in Northern Ireland aged 18+. Data was weighted by age, sex, socio-economic group, previous voting patterns (i.e. turnout probability), constituency, constitutional position, party support and religious affiliation.

<sup>3</sup> The poll attracted 628 comments from 2,682 respondents. Of the comments, 109 related exclusively to the survey structure and 519 related to the survey topic. The following provides a summary of the themes addressed by the qualitative comments received in the open-text part of the survey:

Theme/Issue	Occurrences	
	October	June
Protocol viewed as necessary / (potentially) beneficial / make it work	210	149
Protocol viewed negatively	122	116
Critical of DUP or Unionism/PUL	110	115
Brexit as mess / folly / viewed negatively	109	80
Critical of UKG / PM or GB	95	91
Lack of information / Misinformation	76	87
Brexit, not Protocol, as the problem / cause	71	58
Scrap the Protocol / Irish Sea Border	65	77
Critical of EU / EU approach to implementation	40	45
Critical of NI politicians generally	36	13
Protocol needs to be changed	30	23
Protocol contrary to B/GFA	24	32
UK as a whole should / ought to have left the EU	22	25
Lack of NI (full) representation / consent	22	53
A (referendum on) United Ireland is more likely / desirable	21	25
Critical of IRE/EU for using NI	16	23
Protocol as undemocratic / ECJ concern	13	11
UK(NI) re-join EU / Single Market & Customs Union	10	-
Fear of violence / threat to peace	9	22
UK-EU Alignment/SPS	6	11
Protocol as consequence of threat of violence	4	10
Brexit as threat to B/GFA	1	4
Critical of threats to violence	0	7

This report is produced as part of the ESRC-funded project on *Governance for 'a place between': the Multilevel Dynamics of Implementing the Protocol on Ireland/Northern Ireland*. For further details see: [www.qub.ac.uk/sites/post-brexit-governance-ni](http://www.qub.ac.uk/sites/post-brexit-governance-ni); and to follow the project on Twitter follow [@PostBrexitGovNI](https://twitter.com/PostBrexitGovNI)

