

The British Monarchy

The role of the Crown in the British constitution

The title 'the Crown' is given to the monarch or sovereign of the country, that is, the Royal Head of State. The British monarch is also the Head of the Church of England and Head of State for assenting countries within the Commonwealth (an association of former colonial nations). In its practical operation, the Crown represents the monarch and, more significantly, the Government of the day – the executive – that has responsibility for governing the country, and can call upon 'royal prerogative' powers that have been established during the historical development of the common law. The Crown has legal significance in two main respects:

- Through exercise of the royal prerogative.
- Through Crown immunity.

The prerogative powers of the 'Queen in Parliament'

- The monarch has the prerogative power to open new parliamentary sessions and to dissolve Parliament for the purposes of a general election. The former power is illustrated by the Queen's (or King's) Speech during the State Opening of Parliament, a ceremonial occasion in which the monarch reads a speech prepared by the Government outlining its proposals for new laws.
- The monarch has the prerogative to give the 'royal assent' to legislation, thus formally making Bills (draft legislation) into operative Acts of Parliament. However, this is a formality rather than a power (the last time power was exercised by the monarch in such circumstances was as long ago as 1707). It used to be the case, historically, that the monarch signed all Bills, but today assent can be given by the signing of general documents to announce the giving of assent to the two Houses of Parliament.
- The monarch has prerogative powers to appoint and dismiss the Prime Minister of the country, though, rather like the earlier examples, this is a matter of political convention rather than informed choice. Here, the monarch merely follows the choice of the political party with a majority in the House of Commons and appoints the leader of that party as Prime Minister after a general election victory. Moreover, the monarch will accept the resignation of a Prime

Minister who loses a 'vote of no confidence' in Parliament, or who leads a party to defeat at the general election.