6. The Crown and Royal Prerogative

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Lisa Webley and Harriet Samuels

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Author(s): Lisa Webley and Harriet Samuels

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Titles in the Complete series combine extracts from a wide range of primary materials with clear explanatory text to provide readers with a complete introductory resource. The royal prerogative is a special form of common law that may be exercised by the Crown, either through the Queen as monarch (her personal prerogative) or through the executive as Her Majesty’s government (the political prerogative). This chapter begins by tracing the history and development of the royal prerogative, and the role of the Crown in the exercise of these powers, and then addresses the division between prerogative powers that are personally exercised by the Queen and those that are exercised on her behalf by the political executive. Next, it turns to the respective roles of Parliament and the courts in the operation and development of prerogative powers, considering the relevance of those powers today and proposals for reform, in part, in the context of the case study on the use of the Royal prerogative to trigger article 50 and take the UK closer to leaving the EU.
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