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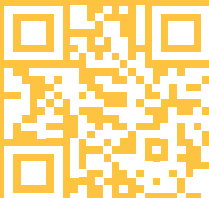
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EUROPE'S LAST IMPERIAL MONARCHY

An analysis of the British Royal Family

Rt Hon Norman Baker

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The Constitution Society

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Preface

Monarchical rule, once practically universal across Europe, has been in retreat ever since the seismic shock of the French Revolution in 1789.

That event demonstrated to Europe's populations that hereditary monarchy was mortal. Even so, at the start of the twentieth century, only France, Switzerland and the tiny San Marino (the fifth smallest country in the world) had a republican form of government.

Now in 2023, just seven kingdoms remain: the United Kingdom, Spain, Norway, Sweden, Denmark, the Netherlands and Belgium. To this thin list can be added three principalities: Monaco, Liechtenstein and Andorra, and the Grand Duchy of Luxembourg. Finally, there is the oddity that is Vatican City.

Frequently, though not always, the spur leading to the disappearance of a monarchy has been war, or the social upheaval it has generated. Portugal became a republic in 1910, but it was the First World War that ended the imperial monarchies in Russia, in Germany, and in the Austrian-Hungarian empire. In 1922, the Sultan was deposed in Turkey.

The Second World War and its aftermath saw the end of monarchies in Italy, Albania, Romania, Yugoslavia and Croatia, and eventually Greece.

Spain operated for some decades without a monarchy while Franco ruled, and its status today is more than shaky. It may not survive. That leaves the United Kingdom as the only large European power to hold onto its monarchy. This despite the fact that England was actually the first country in Europe to depose (and indeed execute) a king, namely Charles I in 1649, leading to the Cromwellian Protectorate that lasted eleven years until the monarchy was restored.

One explanation for this might well be that Britain, unlike virtually every other European country, has never been invaded and suffered the social chaos that inevitably follows. The last time a foreign power impinged on mainland Britain was when the Dutch sent ships up the Thames in 1667.

The absence of invasion, or war on home territory, also helps to explain why the British monarchy retains many imperial characteristics which are now largely extinct in the other remaining European monarchies.

All the European kingdoms that have survived can be classed as constitutional monarchies, where the King or Queen is largely a figurehead. Yet whereas other monarchies have constitutionally become embedded in the democratic system, operate on relatively modest budgets, and whose family members behave to a large degree like ordinary people, the British monarchy in many ways carries on as it has done over centuries. Others have had reform thrust on them, the British monarchy has not and has shown little appetite for self-generated modernisation.

This report examines the imperial attributes that persist, in finance, in constitutional powers, and in ritual and ceremony, and compares these with the practice in the much more modern monarchies to be found elsewhere in Europe.

A Royal Mint

Official figures from across Europe allow us to compare the relative annual costs of the continent's monarchies. The headline figures give us:

- Britain: £86.3m (2022)
- Netherlands: £41m (2021)
- Norway: £35.7m (2019)
- Sweden: £11.8m (2021)
- Belgium: £11.7m (2022)
- Denmark: £10.8m (2021)
- Spain: £7.4m (2021)

These figures are however not directly comparable as different countries account for expenditure in different ways.

In Spain, for example, many expenses are picked up by separate government departments.

In the Netherlands, the cost of state visits and Palace upkeep is not included in this figure.

What is clear, however, is that even allowing for the different approaches deployed, Britain's monarchy is, on official figures, far and away the most expensive.

The reality, if hidden costs are taken into account, is even more stark. The £86.3 million is the visible tip of a large iceberg, merely a fraction of the total cost, as will be explained in this section.

Let us begin first, however, with the development of royal finances since 1760 that has led to this headline figure today. That was the year the 22 year-old George III came to the throne.

Since 1697, the monarch had received an annual grant of £700,000 from Parliament as a contribution to royal expenditure which at that time included many functions that today would lie not with the monarch but with the elected government. These included meeting the substantial costs of judges, ambassadors, civil servants and the security apparatus of the state.

The new king therefore reached a deal with Parliament whereby these costs and virtually all those relating to the personal activities of the king would be met in future by Parliament. From 1760, the king received from Parliament an annual sum of £800,000 and in return agreed to surrender the hereditary revenues, mainly income from customs and excise, but also the area of property known as the Crown Lands. The terms were crystallised in the Civil List Act 1760.

The Crown Lands (renamed the Crown Estate in 1955) theoretically remains the property of the monarch to this day, but since 1760, each new monarch has held to the arrangement made by George III and upon succession, surrendered the hereditary revenues for the duration of their reign.

King Charles III is no exception to this rule and indeed in my capacity as a privy counsellor, I witnessed him do so at his Accession at St James's Palace following the death of the Queen.

As Prince of Wales, however, he cast an envious eye over the profits from the Crown Estate which have ballooned over the last fifty years in particular, and made it known through back channels that he regarded an ability of the royal family to benefit directly from this as a development that would meet his approval. As explained below, his wish was granted in 2011.

After the accession of George I in 1714, it became the practice that a settlement in terms of the annual parliamentary grant to the monarch would be fixed at the beginning of a reign and then remain unchanged. That did not stop monarchs such as George III returning to Parliament cap in hand for more money, though.

In fact, George III used his annual grant at least partly as a political tool to reward his supporters in Parliament with secret pensions and bribes until Parliament put a stop to this in the 1780s.

Another example of abuse came in Queen Victoria's time when early in her reign, her husband, Prince Albert, told the government that the Civil List was not adequate enough to allow the Queen to discharge her duties. More money was secured, but this was then used instead to buy Sandringham and Balmoral. It might be argued therefore these two properties, described by the royal family as "private", should actually belong to the state.

When Elizabeth II ascended the throne in 1952, it was determined she would receive an annual sum of £475,000. It was also decided by the then Prime Minister, Winston Churchill, that some expenditure hitherto met by the monarch was instead to be funded by government, thereby indirectly and obliquely increasing the money available to the new Queen. The transfer included responsibility for the upkeep of Buckingham Palace, now undergoing a £359 million gold-plated facelift at taxpayers' expense.

The Civil List also made provision for the allocation of annual sums to a long list of members of the royal family, a new departure that had not applied under George VI.

Towards the end of the 1960s, the royal household again began making the case for an uplift, with Prince Philip in particular painting the alleged shortage of funds available to the royals in somewhat colourful terms.

The result was the Civil List Act 1972 which allowed funds to be topped up on an annual basis, but expressly ruled out the idea that the annual figure could ever go down. It could only stay the same or go up.

All this was not without controversy, particularly as the Palace refused to give MPs a figure for the extent of the Queen's private wealth that had been accumulated, a position firmly taken both before and after that point.

By 1990, the annual Civil List figure had grown to £5.09 million. In that year, the Prime Minister, Margaret Thatcher, proposed that instead of an annual review, the grant should be fixed for a ten-year period, which would, *inter alia*, have the effect of limiting parliamentary scrutiny to once in a decade.

In fact, MPs were only given two hours' notice of the debate to agree this, which itself allowed just 20 minutes for questions. Even more controversially, an inflation rate of 7.5% for each of the next ten years was proposed, a rate far in excess of inflation at the time, giving by 2000 a Civil List sum of £7.9 million per annum.

The arrangement thus fell due for review in 2000, by which time Gordon Brown was chancellor. In line with the 1972 Act, he was unable to reduce the annual sum but froze it for ten years, indicating that the royal household should use the considerable surpluses that had built up to deal with any shortfall that might occur. He also transferred some expenditure round the edges from the government to the royal household and so in effect delivered a small cut.

The Civil List arrangements put in place in 1760 lasted as a mechanism for allocating funding to the monarch for 251 years until 2011.

Following persistent back channel lobbying from the royal household over many years, the then chancellor George Osborne agreed to reform the method of support for the monarch. The Civil List was abolished, to be replaced by the Sovereign Grant, a reinstated linkage with the Crown Estate money.

The monarch was to get 15% of the profits each year. This was subsequently increased to 25% to cover the costs of refurbishing Buckingham Palace. The estimate for works here, according to the Palace's own figures, was between £32 and £55 million in 2008, and that to cover repairs to all royal palaces. By 2013, Sir Alan Reid, the Treasurer to the Queen, suggested that the 15% allocation from the Crown Estate would enable repairs to be completed. By 2016, that had somehow become a figure of £359 million, requiring what we were told is a temporary shift from 15% to 25% of Crown Estate profits.

The expenditure was agreed by a small group of MPs in committee in just 13 minutes.

It is also worth noting that while the taxpayer was carrying the entire burden of the refurbishment bill for the palace, the Queen was collecting all the receipts from entrance fees from visitors. This was regarded as "private" income and which amounted to £10.35 million in 2017 alone.

As with the Civil List before it, the sum each year paid under the Sovereign Grant can only stay the same or go up, never down. The royals were therefore immune against any possible slump in Crown Estate profits.

The royal household need not have worried, however. As a successful property outfit, profits at the Crown Estate have exceeded inflation each year, thereby giving an annual real terms increase to the royals. £7.9 million in 2011 had become £86.3 million in 2022.

This new arrangement has proved hugely profitable for the royals in other ways too. As the Crown Estate holds the rights to the seabed around Britain, the massive expansion in offshore wind, the biggest offshore windpower development in the world, is giving the royals a huge windfall, billions that before 2012 would have gone into the Treasury to help pay for schools, hospitals and defence of the realm.

Early in 2023, Charles announced that some of the windfall from windfarm development would not be taken by him, but diverted to the Treasury. While this is welcome, he will have been aware that the matter was already under close scrutiny by the National Audit Office.

As I write, a Treasury review of royal funding is underway, and it is likely that with large surpluses being generated, the take from the Crown Estate may soon be returned to 15%. While this would be a step forward, it would be more satisfactory to break the linkage with the Crown Estate and return to some sort of Civil List.

Let us turn now to the hidden bulk of the iceberg.

As indicated above, the annual sum allocated by Parliament, be it Civil List or Sovereign Grant, is but one of the sources of income for the monarch. Uniquely, the royals have benefited from a highly advantageous taxation regime that has seen them exempt from taxes paid by the population at large.

Between 1952 and 1993 the Queen paid no income tax, corporation tax, or indeed tax of any kind other than indirect taxes such as Value Added Tax. Income tax is now paid by the monarch “voluntarily”.

Winston Churchill, on the Queen’s accession in 1952, arranged for the new monarch to be exempt from dividend income tax as well. That position too lasted until 1993. In 2001, statisticians from Barclays Capital calculated that the £2m stock investment made by the Queen in 1951 would, fifty years later, be worth £1.4 billion. If tax had been paid, the residual figure would have been less than £300 million – almost a billion pounds lost to the public purse from this one source alone.

Another very significant tax break, unique to the royal family, has been, and continues to be, exemption from death duties, not just as it should be on property such as the crown jewels held in trust for the nation, but on private possessions as well.

For example, the Treasury is estimated to have lost out to the tune of between £20 million to £25 million on the death of the Queen Mother in March 2002. Tax-free gifts to her daughter included a priceless Fabergé egg collection, her string of racehorses and a valuable collection of paintings.

And no inheritance tax will be paid by the new King, Charles III, on the vast estate left to him by his mother, including presumably the items mentioned above.

Bespoke taxation arrangements can also be found in other European monarchies.

In the Netherlands, King Willem-Alexander receives a salary that is not taxed. Nor does he have to pay tax on gifts or inheritance. Assets however have been taxed since 1973, but allowances are available to meet the bill.

In Belgium, King Philippe is obliged to pay tax, a new departure introduced in 2013.

In Norway, King Harald does not pay tax while members of his family lose their exemption when they marry. In 2002, the King took advantage of a controversial tax arrangement to help his daughter avoid millions in tax in respect of a property she had inherited.

In Spain, the taxpayer picks up the bill for groceries, toiletries and clothing for senior members of the royal family. However the King and his family are subject to income and wealth taxes and have to submit annual tax returns.

It is worth recording that the tax affairs of presidents in European republics mirror the tax arrangements of the population at large, without the bespoke privileges which European monarchs enjoy.

Another favourable tax arrangement in the UK relates to the Duchy of Lancaster and the Duchy of Cornwall, the former benefiting the monarch and the latter benefiting the Prince of Wales.

These royal lands were not included in the transfer of Crown Lands to the government in 1760, probably because they were at that point basically worthless. The Duchy of Lancaster returned a profit equivalent to just £16.92 that year. Or perhaps it was because Parliament already regarded them as public, as they were not mentioned for the purpose of exclusion in the 1760 arrangements.

It is also worth noting that it was not until 1800 and the passing of the Crown Private Estates Act that the King was even allowed to own private property.

Further evidence of the public nature of the Duchies is provided by the fact that at the start of Victoria's reign in 1837, the Duchy of Cornwall was classified as an Office of State, and an Act the following year required both Duchies to submit their accounts to Parliament annually.

In 1894 the Duchy of Cornwall was classified as a Department of State, a description repeated in 1921. Later still in 1936, the Labour leader Clement Attlee told the Commons: "The Duchies are historical survivals...they cannot in any way be considered to be private estate."

Yet "private" is the word Charles has invariably used in respect of the Duchy of Cornwall. If so it is a curious private estate, in that, uniquely, no corporation tax is paid on its substantial profits, which have given the Prince of Wales an annual income of over £20 million.

The Duchy of Cornwall owns a third of Dartmoor National Park, about 160 miles of coastline, lots of rivers and riverbeds, and residential and commercial properties galore. This includes highly valuable London sites such as the Oval cricket ground in South London.

The Duchy of Lancaster comprises well over 40,000 acres, including highly valuable swathes of land such as the Savoy Estate off the Strand in London, ten castles and land in several counties across England. It provides the same convenient stream of money for the monarch, also turning in a profit of over £20 million a year.

One use of this income stream by the Queen was to hand out benefit payments to members of her family, in other words to continue the practice of the civil list but somewhat less transparently. It is understood that such payments were classified as tax deductible expenses for tax purposes, hence an indirect charge on the public purse.

There are other beneficial constitutional arrangements for the Duchies. For instance, the Crown was given exemption from the 1967 Leasehold Reform Act, which was then also claimed by the 'private estate' that is the Duchy of Cornwall. That means that tenants of the Duchy do not have the automatic right – unlike just about everybody else – to buy their property outright or secure a lease extension.

And when a company located in either the Duchy of Lancaster or Cornwall is dissolved, its assets are transferred not to the Treasury, as would be normal, but directly to the King or Prince William.

Moreover, this practice, called *Bona Vacantia*, also applies to those who have lived within the Duchies but who then die intestate. Before 1830, the King was able to claim the estate of anyone anywhere in the country who died intestate, but after that date, this ability was limited to Duchy lands.

During the Second World War, George VI claimed the estates of soldiers based in the Duchy of Lancaster who died intestate while serving their country.

Since the 1970s, the money garnered in this way by the Duchies has been transferred to charities, after a processing fee has been deducted. This administration fee was typically about 3% for the Duchy of Lancaster under the Queen, but 15% for the Duchy of Cornwall under Prince Charles.

The royal family also benefits from public support for a vast number of dwellings. The State supports not just Buckingham Palace but also St James's Palace, Clarence House, Marlborough House Mews, Kensington Palace, Windsor Castle, Frogmore House and Hampton Court Mews, to name but a few.

Under the Crown Estate Act 1961, the monarch is in effect able to commandeer any properties owned by the Crown Estate which then has no role in their management and does not collect any rent money. As of March 2023, there were 52 properties “at the disposal of His Majesty”.

In the Netherlands, the next most expensive monarchy in Europe, there appears to be public funding for just three dwellings: Hus ten Bosch Palace in the Hague, where the King lives but which is also used for official receptions and meetings; Noordeinde Palace which likewise hosts official receptions and is where the offices of the Royal Household are based; and the Royal Palace in Amsterdam, open to the public and also used for official receptions. Drakensteyn Castle in Lage Vuursche and Het Loo House in Apeldoorn are also used as family residences, though it is not clear to what extent, if any, public funding is used for these latter two premises.

In Belgium, the state owns the Palace of Brussels and the Castle of Laeken, which are made available to the monarch. There is also a greater number of properties, seven major ones, which King Leopold II transferred into a Royal Trust in 1900, as a donation to the state, but with the instruction that they must never be sold or altered, and that they should remain available to the royal family. The Royal Trust also owns woods, parks and land that it rents out for income.

In Sweden, there are 11 eleven royal palaces, all of which are the property of the state. There is also a small number of residences owned privately by the royal family.

Away from property, in the UK the public purse also funds an extensive network of 99 Lords Lieutenant (not to mention hundreds more deputies) who act as the Queen’s representatives out in the country.

A further source of public expenditure relates to security provision. While it is entirely right and sensible both to protect the monarch and their immediate heirs, and also to respond to any perceived threat, it seems clear that the level of security provided to minor royals few will ever have heard of is out of kilter with any threat that might exist. Indeed, minor royals have often demanded greater and more visible security than either the Queen or Prince Philip required, suggesting that for some of them, including Prince Andrew and his children, the security cover was acting as some sort of status symbol.

The estimated annual cost of security for the royal family comes in at around £200 million.

Lastly, other various income streams have also served to boost the royal coffers. For instance, like any large landowner, the Queen benefited hugely from the operation of the Common Agricultural Policy, the rules of which rewarded the mere possession of land. An analysis by Greenpeace in 2016 revealed that the Queen was one of the top recipients of EU money, with her Sandringham farmland alone bringing in £557,707 that year, with a similar sum every year. That source of income only ended when Britain left the European Union.

Other sources of income have included a grant of £300,000 from the Forestry Commission for fencing work.

We *can* piece together the sources of public money going to the monarch, even if we cannot entirely accurately quantify the sum. We can only produce a much hazier estimate of the private wealth that has been accumulated by the UK monarchy since 1760, either from direct public support, indirectly from beneficial tax arrangements, or from the investment returns that have resulted from the use of this public money.

Given the refusal to disclose any details of private income, estimates of royal wealth have varied wildly, with the lowest estimate for the monarch at around £350 million. The *Mail On Sunday*, in 2001, calculated that the Queen was worth £1.15 billion, excluding those items held in trust for the nation by the Crown such as the crown jewels, with her investment portfolio valued at £500 million. Her stamp collection alone was put at £100 million. Whatever the overall figure, it is a safe bet to assume what she bequeathed to Charles in September 2022 was considerably in excess of what she held in 2001.

Just as the annual payments to the royal family here in Britain dwarf those made to other European monarchies, so the estimated wealth of the monarch here dwarfs that of other European monarchs.

It is difficult to obtain precise figures, of course, but an attempt was made in 2017 by the magazine *Royal Central* to quantify the wealth of the European monarchs, and their estimates are reproduced below:

- Queen Elizabeth II (UK) : £345-£422 million
- King Willem-Alexander (Netherlands) : £154-£230 million
- King Carl XVI Gustav (Sweden) : £54 million
- Queen Margrethe II (Denmark) : £30.7 million
- King Harald V (Norway) : £23 million
- King Felipe VI (Spain) : £15.3 million

There is considerable uncertainty over the worth of King Philippe of Belgium. The monarchy itself claimed to be worth around £10.9 million in 2013, but the *European Union Times* put the wealth of the Belgian monarchy at up to £684 million.

What we can safely conclude is that support from the public purse for the British monarchy easily outstrips that provided to other European monarchies, and that the private wealth accumulated by the British royal family almost certainly similarly outstrips the wealth of other European monarchies.

We might also conclude that a much greater degree of transparency may well be appropriate.

Constitutional Arrangements

We will shortly be able to witness, through the medium of television, Charles take his solemn vows at his coronation. Like his mother before him, and all their antecedents, he will swear an oath to respect God and the established church, but there will be no reference to any duties to the population at large, for legally he has none. Certainly, there will be no mention of democracy.

It might be thought that the taking of these medieval vows is simply a harmless tradition, and nothing much more should be read into it. Maybe so, but it is interesting that the arrangements which apply in other European monarchies now follow a significantly different and more modern path.

Tradition has been no bar for Norway, home to Europe's oldest monarchy, established in 872. There, the King, before he can take the throne, now has to intone the following:

"I promise and swear that I will govern the Kingdom of Norway in accordance with the Constitution". The constitution firmly embeds democracy as the country's form of government, and paints the King's role as subservient to that.

In the Netherlands, Article 32 of the Dutch constitution requires that "the king shall swear allegiance to the Constitution and that he will faithfully discharge his duties." Again here, the monarch's role is rooted in the democratic structure that has been created and of which he is a part.

In the United Kingdom, the failure to modernise our basic constitutional arrangements means that, uniquely amongst European monarchies, we have no written constitution that sets out our rights. The role of the monarch is thus not codified as it is elsewhere, except, through his coronation vows, to the established church.

The failure to modernise over centuries also means that we continue to have as central to our legislative decision-making process something called the Royal Prerogative, with decisions in the exercise of this formally taken at meetings of the Privy Council.

This body in theory has 742 members, including me, but in practice, meetings are generally attended only by about four cabinet ministers. It is used to push through government business which thus by-passes Parliament. Many matters are minor, but some are not.

Many will concern those territories which are British but largely self-governing, such as the Channel Islands. In my experience, they do not deal with business from Commonwealth countries where the British monarch is head of state but which in other respects are entirely independent, such as Canada or Australia.

At these meetings, the monarch sits down while the members of the council in attendance remain standing, in a sort of arc formation.

The role of the monarch, who must always be in attendance, is simply to intone “agreed” to what is read out, or “referred” if the government has decided that whatever the proposal is needs to be developed further. There is no debate, and the monarch has no say in these matters.

Nor does the monarch have any say in the King’s Speech which will be read out by the King, sitting on the throne in the House of Lords, at the start of each new parliamentary session. The speech is written by the government and normally contains a series of anodyne phrases such as: “My government will take steps to improve the health service.”

Once upon a time, the Royal Prerogative equated to the rights of monarchs to decide upon matters of state themselves, as a one-person law-making, decision-taking machine. This was codified in the 1539 Statute of Proclamations, taken through Parliament by Thomas Cromwell. By these, King Henry VIII gave himself the right to announce whatever he wanted, which would then become law.

Move on a few hundred years and for Henry VIII, now read the Prime Minister and the government. For, along with those matters railroaded through the Privy Council without debate, we now have the increasing use in far too many pieces of legislation of what is called a Henry VIII clause. The clause, inserted into a Bill, gives the government the right to amend or even repeal that piece of legislation through subordinate legislation, often without even having to bring the matter before MPs again.

Concern about the use of such clauses is shared at top of the judiciary. Lord Judge, the Lord Chief Justice of England and Wales, put it this way in a speech at the Lord Mayor’s dinner in 2010:

“Henry VIII was a dangerous tyrant [and] the Statute of Proclamations of 1539 was the ultimate in parliamentary supineness...Do you remember the Regulatory Reform Bill of 2006 which...sought to give ministers power to amend, repeal or replace any Act of Parliament simply by making an Order?”

That particular proposal was derailed by the House of Lords.

The monarch does in fact still retains some personal advantages arising from the historic application of the Prerogative, though. For example, the sovereign has personal immunity from being sued in the courts. This derives from the ancient “prerogative of perfection”, or in layman’s language, the monarch can do no wrong.

As a trivial example, when the Queen was spotted driving without a seat belt, contrary to law, it was simply not possible to take any action pursuant to this, even if the police and Crown Prosecution Service had wanted to do so, as all legal action is taken in the name of the monarch. You cannot have *Regina v Regina*. The Dutch monarch is also exempt from prosecution – inviolate as they describe it. But that is in contrast to the position in many other European monarchies.

In Spain, for example, in 2014, a Madrid court upheld corruption charges against Cristina de Borbon, sister of newly-crowned King Felipe VI. Then Spain’s national prosecutor’s office spent considerable time and energy investigating allegations fraud in former King Juan Carlos’s business dealings, only dropping the effort after failing to find sufficient evidence of criminal activity.

In July 2013, the Belgian King, Albert II, lost his immunity from prosecution after he abdicated. He was then summoned to court by the woman who, through this process, proved she was his daughter. The proof came by means of a DNA test on Albert who initially refused to consent and was fined 5000 Euros a day until he did.

Incidentally, 2013 saw four abdications. As well as Albert II, there was Queen Beatrix of the Netherlands, the Emir of Qatar, and Pope Benedict XVI from the Vatican. And here is another difference with Britain: while abdication is now becoming more widely accepted in other jurisdictions, even the Catholic church, the concept remains anathema to the British royal family who fear it weakens the hereditary principle, even if not to the public. A recent poll revealed that 45% of those asked said Charles should stand aside for William, as opposed to 35% who said he should not.

Meanwhile, with unintended irony, the high court in London in 2022 ruled that the former Spanish king Juan Carlos does not have sovereign immunity in a case brought against him by an ex-lover, who has accused the ex-King of using Spain’s national intelligence agency to harass and threaten her after they broke up. It is difficult to imagine any British royal ending up in the courts on these or indeed any other charges.

Generally, though, with today’s constitutional monarchy in Britain, it is the government of the day which has the right to exercise the wide powers of the Royal Prerogative. It has in effect become to a large degree the Prime Minister’s Prerogative, a concept that is likely to sound much less wholesome and acceptable to the ordinary British person. It suits governments therefore to hide behind the word royal.

Like the absolute monarchs of antiquity, today's governments benefit residually from the "prerogative of perfection."

Over the centuries, Parliament has gradually eroded the Royal Prerogative by passing legislation. The Fixed Term Parliament Act, for example, introduced by the Coalition Government in 2011, removed the right of a prime minister, acting theoretically on behalf of the monarch, to call a general election at their whim. That has now been repealed and so here the Royal Prerogative has been reinstated.

Yet hundreds of years on, key Royal Prerogative powers remain, not least the power to declare war, which has rested with the monarch since "remote antiquity". That in turn has led to governments initiating military action without, it would transpire, the support of parliament or the people. It is debatable whether the folly of Suez in 1956 would have got very far if Parliament had been involved at an earlier stage.

Nor is it just matters of war which are at issue. In 1984, prerogative power was controversially used, without reference to parliament, to ban the employees of the government's intelligence collection and analysis centre GCHQ from being members of a trade union. In the subsequent court case initiated to challenge this decision, the government successfully argued that not only were their powers in this case not open to judicial review, but that the instructions given in exercising them enjoyed the same immunity.

And it was also in the 1980s that the then Prime Minister Margaret Thatcher told the House of Commons that "where members of the security service do commit illegal acts, there is always the prerogative power not to pursue criminal proceedings". That gives a whole new meaning to the phrase Royal Pardon.

In July 2016, there was debate as to whether Theresa May's government was entitled to use prerogative powers to give effect to the vote in the July 2016 referendum which produced a narrow majority in favour of leaving the European Union. The referendum was legally only advisory, and many baulked at the idea that the government could trigger the now infamous Article 50 without parliamentary approval. Subsequently, the Supreme Court decided that parliamentary approval was indeed required, thus usefully establishing case law in this important matter.

So Henry VIII lives on. He may have been discredited by history, but his methods still find a place in the heart of our government in the twenty-first century.

The epitome of difference between the United Kingdom and the other European monarchies is this: while people in the other monarchical countries are now citizens, we in the UK are still subjects of the King. It has never changed.

The requirement to take an oath to the King, rather than the King taking an oath to us, runs through British society. It applies to the armed forces, to the police, to those seeking citizenship, even to the scouts.

This may seem academic, but it is worth reflecting on what might have happened had Edward VIII, very much a Nazi sympathiser, still been king in 1940 and he had called upon those who had taken an oath to him, including all in the armed forces, to lay down their arms.

These unreformed arrangements manifest themselves in other ways too. We are, for instance, the only country to refer to the monarchical status of our country name, almost as if it were still a personal possession.

We are also the only country that has a national anthem that revolves around the reigning monarch.

- Norway has “How we love our blessed Norway..”
- Belgium’s begins “O beloved Belgium, sacred land of our fathers..” although it does have as a peroration “For King, for Freedom and for Law”.
- The Dutch national anthem was written in 1572 and tells of the fight between William of Orange and the King of Spain for independence, so although it namechecks royalty, its essence is to celebrate freedom from Spain.
- The Spanish national anthem begins with “Long live Spain, raise your arms, sons of the Spanish people.”
- The Swedish variety is likewise a paean to the country, beginning with “Thou ancient, thou free, thou mountainous North, thou quiet, thou joyful beauty.”
- Denmark unusually has two anthems. The civil one is entitled “There is a lovely land” (Denmark, obviously) while there is a special one for rarefied occasions such as commemorations of the royal family, “King Christian”.

It can be seen therefore that all other monarchies have anthems that celebrate and revere their country. Only ours focuses on the personage of the monarch.

Even the Commonwealth countries where the British monarch is head of state have by and large dispensed with God Save The King. Since 1 July 1980, Canada now has “O Canada”, though the British anthem is kept in reserve for special royal occasions.

Likewise, Australia and New Zealand have their own bespoke anthems, but keep God Save The King as a royal anthem.

An anthem should be a unifying element in society, and while residents of a country will generally find it unexceptional to sing in praise of their country, here in the UK the anthem is not one that can be readily endorsed by republicans or indeed those who do not believe in God.

The fact that the privileges of the monarch have over the centuries been only lightly tempered, coupled with the lack of a written constitution, has led to some curious and questionable practices.

One of these is a procedure called King’s Consent, to which we will return shortly. More common, and not to be confused with King’s Consent, is Royal Assent – the rubber stamping by the monarch of a Bill which has passed through all its parliamentary stages, a process shared by other European constitutional monarchies.

Although the monarch in theory could refuse to give Royal Assent, that has not happened since 1708, and it would cause a constitutional crisis if it were. It could even bring down the monarchy.

Interestingly, there was almost such a crisis in 1990 in Belgium, when the catholic King Baudouin refused to sign into law a Bill legalising abortion. The neat solution to this was to declare the King, with his agreement, “unfit to rule” for almost two days, which allowed an alternative process to pass the Bill into law, after which the King miraculously recovered.

King’s Consent, and the parallel Prince of Wales’s Consent bear no relation to Royal Assent, are much less well known, and allow the monarch and the Prince of Wales to exercise real power.

Under these provisions, the two aforementioned royals have the unique right to be consulted on, shape, even block legislation that affects their private interests in a way they do not like.

This is very much a live part of the country’s legislative arrangements. Indeed, updated guidance on how it should operate was issued by the Office of the Parliamentary Counsel as recently as July 2015.

It is the Counsel's role to decide if such royal consent is needed for a Bill. If the conclusion is that it is needed, then King's Consent has to be obtained *before* a Bill can start its journey through the democratically elected parliament. Consent was sought 146 times between 1970 and 2013.

In general, Consent is deemed to be required for matters falling into two categories: those which engage the Royal Prerogative, and those which engage the personal property or personal interests of the monarch or the Prince of Wales.

This process raises two disturbing issues: for prerogative matters, that the government of the day will use this process as a smokescreen to block the passing of, or even debate on, a Bill it does not like; for personal matters that the monarch or Prince of Wales can influence legislation in a way that helps them personally.

In terms of prerogative matters, there is likely to be no personal gain or loss to the King from granting or withholding consent, and indeed he will always act on the advice of ministers. The requirement for consent in such cases is both cumbersome and unnecessary. There is no good reason why such consent should need to be obtained at all prior to a Bill being introduced. Consent is implicit in the formal granting of Royal Assent at the end of a Bill's progression through parliament.

Most legislation, naturally, is government inspired, so the granting of consent by the monarch is merely a formality. Some legislation, however, originates from outside the government, from individual MPs, and may well generate opposition from the government of the day. Advising the monarch to withhold consent is a very effective way of ministers stopping unwelcome backbench bills in their tracks.

How many times this has occurred is not recorded, itself an unsatisfactory aspect of the system, but here are two controversial examples:

In 1969, the Rhodesia Independence Bill was blocked by refusing Queen's Consent. The potential for government embarrassment, it seems, outranked the wish of MPs to debate this issue.

And in 1999, MPs were prohibited by the Speaker even from voting on the Military Action Against Iraq (Parliamentary Approval) Bill on the basis that the government had advised that Queen's Consent be withheld.

For ministers to state that these Bills were stopped because Queen's Consent was not forthcoming was to imply that the decision to block even debate on a Bill was one taken by the monarch, and thus to draw her into political controversy quite unfairly and indeed unwisely.

The Guardian, for example, ran a report in January 2013 which stated, in respect of the 1999 Iraq Bill referred to above, that the Queen had “completely vetoed” this Bill, “that sought to transfer the power to authorise military strikes against Iraq from the monarch to parliament.”

Leaving aside the pointlessness of the adverb “completely”, the implication of the piece was that the Queen had unilaterally acted to stop debate on a Bill she did not like, and had decided to veto the Bill in order to keep the power to initiate military action to herself. In reality this was a government decision. The Queen was merely acting as a cipher, willingly or otherwise and as someone to hide behind.

More concerning, and certainly more opaque, are the occasions when the personal and private interests of the monarch or the Prince of Wales are engaged.

These personal interests include the assets of the Duchy of Lancaster. King’s Consent is required for any proposed law that would affect the Duchy.

Similarly, the Prince of Wales has to give consent for anything affecting the Duchy of Cornwall. So Prince Charles had to agree, for example, to the Pilotage Bill in 1987 as this impacted on the Isles Of Scilly where he acts as the harbour authority.

King’s Consent, and Prince’s Consent also applies in the case of those landholdings which are defined by legislation as private property, specifically under Section 1 of the Crown Private Estates Act 1862. This includes, for example, Sandringham and Balmoral. King’s Consent is therefore required for anything affecting these private assets.

So Consent was required for the Charities Act 2006 as changes might have reduced the windfalls from which the Duchies benefited.

Consent was also required for the Child Maintenance and Other Payments Act 2008, in respect of the provisions relating to deduction from earnings orders. This was because of a possible increase in the numbers of cases where the Queen had to make payments under such orders relating to staff of the Royal Household.

Consent was even required for the Animal Welfare Act 2006 because of the powers of inspectors to go on to land to check for welfare offences. The outcome was that a unique exemption was granted for the Queen’s private estates, where it is thus theoretically easier to escape prosecution for mistreating animals.

In this latter case, the legitimate questions are these: why did the royals seek special treatment, why did the government roll over and grant it, and most fundamentally, how can such a request be appropriate in the first place?

The Palace will argue that the Queen in these cases, as when the prerogative is invoked, simply follows ministerial direction and the whole thing is a mere formality. But unlike the straightforward rubber-stamping that is royal assent, the process for consent is considerably more expansive, suggesting otherwise.

The royal household is contacted by the relevant government department at an early stage to flag up pending legislation, and this clearly gives an opportunity for a response from the palace to be taken into account before the die is cast.

It is very common for the initial contact to be by telephone, through the office of the Queen's private secretary, he being the bridge between the palace and the government. Naturally, there is no formal written record made of any discussion by phone, but it allows the government to amend its proposals in the light of comments received, so that when the formal letter is finally sent by the relevant government minister to the palace, a deal has already been hammered out.

Professor Rodney Brazier of Manchester University, who gave evidence to the Political and Constitutional Reform committee as part of their inquiry, told the MPs:

“Royal consent, and the process through which the Royal Households are engaged before it is obtained...fuel speculation that influence is being brought to bear on the content of legislation of an unknown kind.”

Dr Adam Tucker, then Lecturer in Law at the University of York and now at Liverpool, also gave evidence to the committee. He put it this way:

“This process is wholly inconsistent with any characterisation of the procedure as symbolic. It is designed to facilitate genuine reflection and to elicit informed consent.”

He also chipped in, for good measure, with a different, but undoubtedly germane point, to assert that “any involvement of the Prince of Wales in the legislative process is constitutionally unacceptable,” the occupier of that position at any given time by definition not being the monarch. In other words, the Prince of Wales being asked for consent is a constitutional impropriety.

Seeking consent from the Prince of Wales is a convention that arose without explanation in 1848, long after the first use of King's Consent, which was from George II in respect of The Suppression of Piracy Bill. The fact that King's Consent existed for so long without a parallel arrangement for the Duchy of Cornwall suggests Prince's Consent has even less constitutional basis.

Interestingly, the Information Commissioner in 2010, ruling on a case that concerned Prince's Consent, but referring to both Queen's and Prince's Consent, said: "There is no actual legal obligation to give consent...", and that ultimately, consent is a matter of parliamentary procedure. If the two Houses of Parliament were minded to abolish consent, they could do so by means of addresses to the Crown, followed by a resolution of each House. Legislation would not be needed.

A further anomaly in our constitutional arrangements that works to the benefit of the royal family relates to the publication of wills. Publication has for centuries been required as a bulwark against fraud but uniquely the royal family is exempt from this requirement.

Unlike other longstanding practices that have failed to evolve over time, this exemption is actually a relatively recent creation, dating from 1911. The catalyst was the death of Prince Francis, brother of George V's wife Queen Mary, in 1910. Prince Francis's will had scandalously left prized family jewels to his mistress, the Countess of Kilmorey, with whom he was rumoured to have had a child. Queen Mary persuaded a judge to ban public access to the will and the countess was paid £10,000 – around £1,500,000 today – to return the jewels. A precedent was set and today, royal wills are now locked up in a metal safe behind an iron cage in Somerset House.

The official reason given for the blanket sealing of royal wills is to uphold royal dignity. It might be argued that the best way to achieve this is not to engage in undignified behaviour.

A cynic might argue that a further benefit to the royal family from keeping the terms of wills secret is that it enables the royal family to avoid the awkward questions that might follow if the extent of royal wealth was revealed by publication. The royal family regularly cites the issues of royal dignity and privacy to control and limit the amount of information released about them.

While members of the royal family should be perfectly entitled to privacy for personal matters, just like any other individual or family, it is much more questionable whether that secrecy should exist when public duties and public money are involved.

Access to public information, subject to certain exemptions, has been gaining currency across Europe, particularly since 1990. Sweden was the first country to introduce a Right to Know, and that was back in 1766.

In the UK, this right was enshrined in UK legislation through the Freedom of Information Act 2000, which was deemed to apply to all public bodies. These were listed in a schedule to the Act, and the number of bodies subject to the Act has grown since then, for instance through the inclusion of Network Rail.

The Buckingham Palace website states: “The Royal Household is not a public authority within the meaning of the FOI Acts, and is therefore exempt from their provisions”.

This is a rather misleading statement. The Royal Household as an entity may indeed be exempt but that does not mean the information about the royals could not be obtained through freedom of information requests. Indeed, back in 2000, when the Freedom of Information Bill was being finalised, the relevant minister, Rosie Winterton, assured me that “records relating to the royal family will be treated in the same way as all other records.”

That was most visibly demonstrated by the successful campaign by the *Guardian*, using the Freedom of Information Act, to force the release of 44 so-called “spider letters” written by Charles to government ministers, in which he advocated policy positions, and which many saw as him crossing the line from political neutrality into political advocacy.

Charles has promised as King to be studiously neutral. We will see. We have already had reported that he wished to attend the latest international climate change gathering but was prevented from doing so by the Prime Minister. It has also been reported that he was personally keen to visit France and Germany, to repair the damage Brexit has done, as he sees it.

He will need to be careful. As *The Times* acidly put it in an editorial, “a head of state with an opinion is called a president, not a prince.”

It may be that as king, Charles will be neutral in a way he accepts he was not as Prince of Wales. Or it may be that he will seek to exercise influence without it being apparent to the population at large.

Of course the monarch has, as Walter Bagehot famously put it, “the right to be consulted, the right to encourage, the right to warn”. That summary was produced by Bagehot in the reign of Victoria and has been broadly accepted on all sides ever since. It actually gives the British monarch more freedom to express views than is available to most other European monarchs.

Following the publication of the “spider letters”, Charles’s response was not to accept he had crossed a line, but to argue for change to the Freedom of Information Act to prevent the public uncovering such matters in the future.

Successful lobbying by the Palace led the government to change the rules and give blanket exemption to the monarch and immediate heir, with no public interest test able to be applied. There is now a total prohibition on the release of any such further letters for a period of 25 years after their creation, or 25 years after Charles's death, whichever is the later. The criteria for release of information as it relates to other members of the royal family was also tightened.

The royal family seeks to limit severely the release of information relating to them in other ways too. The Royal Archives, based in Windsor Castle, has limited space and so limited access for researchers who wish to access the files held there. Moreover, there is no index so asking for particular files is akin to throwing a dart at a dartboard while blindfolded. In any case, nothing that postdates 1952 is currently available.

The criteria used to determine which files can be viewed at the National Archives in Kew also appear to be stricter than applies to other government documents. This is determined in each case by the relevant government department rather than the National Archives themselves.

While as a society we are moving towards the release of public records within 20 years, a good many royal records are closed for much longer periods. When I visited Kew in 2019, I found there were 3,629 closed files on the Royal Family. Here are some of the titles:

- PM's Office: Correspondence – Family name of Royal Family members (1951-1964)
- Relations between the media and members of the Royal Family – possible legal measures (3 Jan 1984 – 18 Jan 1984)
- Future career of the Prince of Wales (31 May 1979 – 21 December 1981)
- Prince of Wales article: “Help for Self-Help” for publication in *The Economist* (11 Mar 1983 – 18 Mar 1983)
- Visit of Duke of Edinburgh to countries in Far East and Pacific (1959)
- Discussions on civil list (11 Jan 1965 – 13 Nov 1969)
- British nationality for German descendants of British royal family (1957)

On the face of it, there would seem to be no good reason why these files, all of them over thirty years old, and the vast majority of the rest, cannot be released, with names redacted where necessary. Yet many, it has been decided, will stay closed for 100 years.

Lastly, it is worth reflecting on the propriety guidance for public bodies which, in the absence of a written constitution, has emerged in an ad hoc way.

Most significantly, there are the Seven Principles of Public Life. Commonly known as the Nolan Principles, first set out by Lord Nolan in 1995 in the first report of the Committee of Standards in Public Life.

The guidance was designed to apply to MPs, ministers, civil servants and quangos. The monarchy is not mentioned, though exercising as it does a public function on behalf of the country and doing so with public funds, it meets the criteria for a public body. Axiomatically, it should therefore be covered by the seven principles of public life that apply to all such bodies, whether central government, local councils, quangos, or the NHS.

The first principle states that “holders of public office should act solely in terms of the public interest”. The second states that “holders of public office should not act or take decisions in order to gain financial or other material benefits for themselves, their family or their friends.”

It is difficult to argue that the use of King’s Consent, or Prince’s Consent, is consistent with these tests.

The fifth test demands openness, stating that “holders of public office should be as open as possible about all the decisions and actions that they take.” Again, the royal approach to the availability of information would appear to be in conflict with this test.

MPs rightly have a tight code of conduct when it comes to accepting gifts, for example, and Ministers a yet more onerous one. No such code appears to exist for members of the royal family, or if it does exist, it is not publicly available for inspection.

There is a culture of accepting gifts, which, if deemed to be private gifts as opposed to gifts given to the state, are not recorded or declared. Yet individuals employed in public roles elsewhere are required to declare private gifts and activities where this might be seen to be influencing their public roles.

Councillors, for instance, have to withdraw from discussions on planning matters if the application being considered may affect their private position.

Members of Parliament are required to register any income from whatever source above a low threshold, whether or not it has any obvious connection with their parliamentary activities.

But the Royal Family is free to accept any gift – a holiday, the use of a castle, the use of a private jet, even controversially an extended stay in Jeffrey Epstein’s house in New York – all without the requirement even to record these gifts.

It would be good practice, and indeed a defence for the royal family against unfair accusations if, as a basic step, each member of the Royal Family were required to register anything worth in excess of £150 unless it were genuinely from close friends or family.

Ritual and Ceremony

As we have seen, the monarchy in the United Kingdom retains many of the features it has had for centuries past. The absence of a sudden jolt in society, either through invasion, revolution, or some other dramatic event, means the pressure for change to the monarchy and the monarchical system has been limited. The monarchy, to a degree, has thus become sclerotic.

Nowhere is this more obvious than in the use of ritual and ceremony. Depending on one's point of view, elements of this can look absurdly outdated, or they can demonstrate a solid continuation of tradition which, amongst other aspects, can be seen as charmingly quaint and a selling point for tourism.

The changing of the guard at Buckingham Palace, for instance, draws many tourists to the palace railings. Horse Guards Parade constitutes a similar attraction.

It is an interesting question to consider the effect of all the pomp and ceremony associated with the royals on Britain's overseas image. On the one hand, it clearly keeps Britain on the map, and is generally regarded as a positive attribute of the country. On the other, it can lead to a simplistic view of the country, particularly among Americans, as some sort of Disney theme park, which in turn makes a modern image of the country more difficult to project.

The royal family enforces its own strict rules of hierarchy and behaviour on itself and those whom it meets. These have mellowed a tad since Elizabeth II came to the throne – back in 1952 you were not allowed to be in the presence of the Queen if you were divorced – but not much.

There is a strict rule as to who should bow or curtsy to whom, rules more akin to those of medieval chivalry. Being further down the pecking order, Meghan, for instance, under these rules, is expected to curtsy to Kate.

Females in the royal family in particular are expected to conform to long-established standards and practices. These cover everything from how one crosses one's legs to what colour nail varnish should be worn.

There is also a strict hierarchy, unchanged for centuries, determining who outranks whom in terms of titles and honours. The Order of Wear, revised as recently as 2015, sets all this out. We can learn that a Knight Grand Cross outranks a Knight Commander, and so on.

The honours system in other countries has been updated, democratised even. Here we have the same categories being used as have always been used. The Order of the Garter, for example, dates from 1348. The only exceptions are those which relate to colonial possessions, such as the Star of India, which time has overtaken. Our honours still refer to the British Empire.

There is a parallel here with the Royal Prerogative discussed above. Honours are bestowed on individuals, normally in Buckingham Palace, by the King or the Prince of Wales, but the recipients are nearly all determined by the government, either officials in the Cabinet Office, or personally by the Prime Minister. He or she will also determine who is elevated to the peerage (though technically that does not constitute an honour).

Another centuries-old rule is that nobody is allowed to sit down in the presence of the monarch if they are standing. At dinners, you are expected to stop eating the moment the monarch does. Other royals, when hosting events, have been keen to apply this too.

At events where a member of the royal family is present, guests are expected to form a line and the royal personage will walk along the line as if it were an identity parade, talking or not talking to individuals as they choose. Guests are expected to wait for the conversation to be started by the royal, and never initiate it themselves.

Needless to say, these ancient rules are ancient history in other European monarchies. I recall being at a reception in Sweden and ended up in conversation with a woman. It was some minutes into the conversation when I discovered she was a Swedish princess. That sort of encounter is simply impossible in the United Kingdom.

There is some indication that the younger royals, Kate in particular, are taking what might be termed a rather more normal approach to encounters with the general public, whether it is taking a flight on Easy Jet, or mingling with other shoppers.

Much of the quaintness, if we can call it that, associated with royal tradition, is widely regarded as harmless, and continues to exist only because nobody has thought to remove it. Others take a more questioning view.

Eric Hobsbawm and Terence Ranger, in their 1983 book *The Invention of Tradition*, argue that what superficially appears to be a longstanding tradition may in fact be much more recent, and have been cynically adopted and presented as such to give an air of authority and permanence to the institution that exhibits it.

Many of the apparently ancient rituals associated with the royal family are in fact quite modern, and originated in Queen Victoria's reign in the second half of the 19th century. Their introduction was seen as a way of bolstering the popularity of the monarchy at a time when its support among the population at large was somewhat shaky.

The pomp and ceremony of the State Opening of Parliament dates from 1852. The singing of the national anthem was popularised. Earlier it had not been sung even on royal occasions, not even at Victoria's coronation.

Every royal event was seized on for its ability to become a popular spectacle. Royal funerals with the procession and gun carriages, even the continued use of horse-drawn carriages after they had ceased to be the conventional form of travel, all added to the somewhat contrived mystique.

The 20th century saw the introduction of seemingly ancient honours – the OBE, CBE and MBE first appeared only in 1917. The televised investiture of Charles as the Prince of Wales in 1969 was a faintly absurd pantomime of fake ceremony and costumes, with coats of arms made of plastic and polystyrene. The whole “traditional” ceremony was designed by Lord Snowdon.

Let us now turn again to the Duchy of Cornwall.

As late as 1973 Prince Charles received his feudal dues of a hundred silver shillings and a pound of peppercorn from the Mayor of Launceston.

From Stoke Climsland, he daily received a salmon spear and a load of firewood while he was in residence locally, a bow made of alder from Truro, a pair of white gloves from Trevelga and a pair of greyhounds from the manor of Elerky in Veryan. A cottager near Constantine baked a lamprey pie with raisins in lieu of rent.

Other ancient traditions persist, and tend to be rather more valuable. The Duchy enjoys pseudo-Crown privileges, including the right to scavenge shipwrecks, the right to Royal Fish, including whales, porpoise, grampuses and sturgeon, wine from every ship that landed, and the seizure and confiscation of enemy ships in times of war.

Some of these ancient privileges have very modern advantages. Under the right to create mines, for example, the Duchy registered in 2012 extraction rights for tungsten, and for iridium, a rare and valuable metal used in modern technology.

The right to foreshore gives a nice steady income from tourists parking on some Cornish beaches, or from surf schools that have been established.

Back in London, the King has the right, passed down through the centuries, to claim any swans from the River Thames. This evolved into the annual ceremony called swan upping.

A flotilla of traditional Thames rowing skiffs, manned by Swan Uppers in scarlet rowing shirts and headed by The King's Swan Marker, wearing a hat with a white swan's feather, row their way steadily up the Thames. "All up!" they cry, when a family of swans and cygnets is seen. The Swan Uppers then position their boats around the swans, lift them from the water and check their health.

The Swan Marker's iconic five-day journey upriver has been an annual ceremony for hundreds of years. The Palace says that what was a residual piece of ritual nowadays has two clear goals: conservation and education.

Besides the Warden of the Queen's Swans, we still have the Royal Bargemaster, and the Crown Equerry, Colonel Toby Browne, who handles the monarch's road transport on land, including maintaining the Gold State Coach, which dates from 1760, with its top speed of 3mph. He heads a team including the Horsebox Driver of Windsor, the Rough Rider, and the intriguingly named Daily Ladies of London. For his troubles, he gets a free three-storey house just inside the gates to the Royal Mews.

There is the Mistress of the Robes, who is generally a duchess, and the Ladies of the Bedchamber. In earlier times, these used to change to reflect the political complexion of the government of the day, so alternating between Whig and Tory, but nowadays they are nearly always peeresses and almost invariably Conservatives.

Then there are the two Extra Ladies of the Bedchamber, also titled. And let us not forget Gold Stick-In-Waiting, and Silver Stick-In-Waiting, bodyguard positions in the royal household.

We have however lost the Keeper of the Lions in the Tower, the Laundress of the Body Linen, and the Yeoman of the Mouth.

In London you can still find the College of Heralds, sometimes called the College of Arms. This royal corporation was founded in 1484 by Richard III and while other heraldic authorities across Europe have been consigned to history books of the medieval period, here in Britain the College lives on.

The heralds of the college are appointed by the King and exercise power on his behalf. The pool from which heralds are selected is a traditional and rarefied one.

There are thirteen heralds in total, all male, white and elderly, and all from privileged backgrounds. The thirteen is made up of three Kings of Arms, six Heralds of Arms and four Pursuivants of Arms. There are also seven Officers Extraordinary.

The college even has its own hereditary arrangements, being headed today as it always has been by the Duke of Norfolk, currently the eighteenth incarnation, Edward Fitzalan-Howard, here given the title of Earl Marshal.

The Garter Principal King of Arms, usually known simply as Garter, is an office that has existed since 1415. The present Garter is one David White, who is also Inspector of Regimental Colours within the British Army. He was Somerset Herald between 2004 and 2021 prior to his elevation. White is responsible to the Earl Marshal for the running of the College, and is the principal advisor to the King on ceremonial and heraldic matters.

The college's authority covers England, Wales and Northern Ireland. Scotland's parallel is the Court of the Lord Lyon. This office dates from the fourteenth century, and so is even older than Garter. He handles ceremonial occasions north of the border, and is invariably accompanied by Her Majesty's Officers of Arms, all of whom are members of the Royal Household. The Lyon King retains the duty to prosecute as a criminal offence anyone using unauthorised arms under an Act of the pre-union Scottish Parliament passed in 1592.

The College of Arms itself can be found in London's Queen Victoria Street, where it has been based since 1555. The building is also home to the Earl Marshal's own court, the High Court of Chivalry, though on the last occasion it sat, on 21 December 1954, this venue was deemed too small and proceedings were transferred to the Royal Courts of Justice instead.

The word "royal" itself is heavily protected, as are certain other words such as Windsor. A parliamentary question from the Lib Dem MP Norman Lamb in January 2019 elicited the information that 908 applications to use protected words were received in 2018, of which 14 were approved, 107 were objected to, and 703 were "issued a non-objection". The rest were still under consideration.

The prefix royal is much sought after by towns and cities and is sparingly allowed. The last such designation, in 2014, was Wootton Bassett in recognition of the town's honouring of our military dead. Other reasonably recent additions include Greenwich and Kensington.

I asked the Cabinet Office to publish a list of the requests received over a three-year period for the use of the word "royal", and to indicate which had been approved and which rejected but was met with a response normally associated with the security services, namely: "We neither confirm nor deny whether we hold information you have requested under section 37(1)(b) [of the Freedom of Information Act 2000]".

Also much sought after is Royal Warrant status, this being a public manifestation of some sort of royal endorsement, which in turn adds status and so a commercial edge to the receiving body. To be in the running, a business has to have supplied goods to either the sovereign or the Prince of Wales for five years within the last seven.

Naturally, warrant status is regarded as a cachet that brings status and a commercial advantage, but the system by which it is decided which commercial organisations should benefit and what checks are in place to ensure fairness and consistency is applied is very opaque. The official website states:

“As a matter dealt with under the Royal Prerogative, information about any criteria which may exist and the reasons for the grant or refusal of an application are not disclosed.”

What we do know is that in 2018, between them, the Queen, the Duke of Edinburgh and Prince Charles were associated with around 900 warrants, covering about 800 companies or individuals. Up to 40 Royal Warrants are cancelled each year, which in some cases will be due to the individual to whom the Warrant has been granted retiring, though presumably some may be removed for malpractice. This reduction is offset by the award of new warrants.

The Royal Warrant Holders Association maintains that business between warrant holders and members of the royal family is “conducted on a commercial basis”, though the opaqueness of the arrangements, and the exemption from the Freedom of Information Act do not allow us to discover which goods and services have been paid for by the monarch and the Prince of Wales, and which have been provided free of charge.

Endpiece

The monarchy in Britain has entered a new phase. The country changed immeasurably between 1952, when Elizabeth II came to the throne, and 2022 when she died. The institution that changed least over that period was the monarchy.

One major reason was the personality of the Queen herself. She managed to present an image of a safe pair of hands, of diligence, and of strict political neutrality. The fact that she was still carrying out a large number of duties in her 90s commanded respect, and meant that many who are sceptical of the monarchy felt they had to keep their powder dry while she was on the throne.

The royal family would, I believe, be making a miscalculation if they equated the respect and support for the late Queen with respect and support for the monarchy as an institution.

We are now regularly seeing demonstrations at royal events, with opponents holding placards reading “Not My King”. We have also seen eggs thrown at Charles since he ascended the throne, which I cannot recall ever happening to the Queen.

The latest opinion polling, from March 2023, has the approval rating for the royal family down to 47%, with 26% unfavourable, a net plus of 21%. The respective figures last year were 54% approval as against just 17% unfavourable.

Closer analysis shows that the favourability ratings are highest amongst those over 55, and lowest amongst those under 35.

A February 2023 poll asked people if they were proud of the monarchy. That question produced a figure of 43%, while 32% said they wanted the monarchy abolished.

There is some indication that Charles is aware of the need for change, though it is unclear how far his reforming instincts will take him. We know there will be superficial changes, such as the numbers who appear on the Buckingham Palace balcony. It also seems clear that there will be fewer minor royals occupying buildings at public expense.

There has been no indication, however, of an appetite for reform of the big issues, namely funding for the monarchy, the advantageous tax regime, or the application of undemocratic practices such as King’s Consent.

Indeed as regards finance, perhaps the thorniest of issues, Charles is on record as saying:

“I think it of absolute importance that the monarch should have a degree of financial independence from the State... I am not prepared to take on the position of sovereign of this country on any other basis.”

It may be therefore that superficially, Charles will move the British monarchy closer in style to its European counterparts, on the big issues he does not contemplate very much change.

It remains to be seen whether that strategy is sufficient to safeguard the future of the monarchy.

