

Clayton Utz – University of Sydney 2025 Lecture

Dissents Revisited

The Good, the Bad, and the Ugly

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Federal Court of Australia, Sydney

The received wisdom.

Little has changed.

- No *stare decisis*
 - No appellate review
 - Natural justice anyway

Perils remain.

- **Bias**
- **Corruption.**

What has changed?

- The World has changed
- Disputes have changed
- We have changed.

What good are dissents?

- **Groupthink-
Dissent Aversion**
- **Polarisation.**

The value of dissents.

Better CQ

Getting to yes and no.

- People – perspectives
- Fostering consensus.

Good dissents
and

Bad dissents.

Integrating dissent.

In conclusion

Thank you for listening.

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