

DHAYANITHIE PILLAY

Personal

05 January 1958, Durban, KwaZulu-Natal

Education

Matric: (1974) Indian Girls' High, Durban

B. Proc: (1982) UNISA

LLM: (1993) – University of Natal, Durban KwaZulu-Natal.

Certificate in Constitutional Law: (1994) University of Natal, Durban KwaZulu-Natal.

LLB: (2002) UNISA

Certificate for participating in Legal Writing Program for Judges and for Trainers (April 2007 at USA Consulate Durban and June 2008 at University of Pretoria), per Seattle University School of Law.

LLD (April 2020) University of Pretoria: *'Moving litigation from dispute resolution to solving problems and building organisation'*

Professional History

Candidate Attorney, M C Moodliar and Company (1979 – 1982)

Admitted as Attorney (1982)

Admitted to appear in the High Court (1996)

Attorney, Professional Assistant: M C Moodliar and Company (1983 – 1984) David and Company (1984 – 1985) Yunus Mahomed and Associates (1985-1987)

Partner: Yunus Mahomed and Associates (1987 – 2000)

Admitted to Independent Mediation Services of South Africa (IMSSA) Panels as Arbitrator (July 1992) Mediator (July 1994) Trainer (July 1995) Labour Relations Act Trainer (1995), Dispute Resolution Design (August 1996)

Arbitrator on panel of Arbitration Foundation of South Africa (AFSA) (October 1997 - October 1999)

Assessor, Labour Appeal Court, Durban (February 1992)

Senior Commissioner, (Part-Time) Commission for Conciliation Mediation and Arbitration (CCMA): (June 1996 - August 2000)

Arbitrator, Labour Tenants Act: (April 1997)

Panellist: Public Service Coordinating Bargaining Council: (October 1999)

Ministerial appointment to Labour Relations Act Drafting Task Team: (11 August 1994; reappointed February 2000)

Ministerial appointment to chair the Essential Services Committee (5 October 1996 - 30 July 2000)

Acting Judge, Labour Court: Intermittent (February 2000 – August 2000)

Acting Judge; High Court (Crime): KwaZulu-Natal, (Durban November – December 2003)

Acting Judge; High Court (Civil): KwaZulu-Natal, Durban (August 2005)

Judge, Labour Court (September 2000 - June 2010)

Judge, High Court, KwaZulu-Natal (July 2010 to date)

Acting Judge, Supreme Court of Appeal (December 2017-May 2018)
 Judge Commissioner on the Independent Electoral Commission (4 November 2018 – 31 October 2025)

Publications, Awards, Honours and Other Activities

Over 300 judgments and arbitration awards published in law reports and electronically
'Labour Dispute System Design – Dispute Resolution, Conflict Management or Problem Solving?' (2020) ILJ Oct (publication in process)

'Whither the Prostitution Industry' (2014) 35 ILJ 1749

'Victoria and Griffiths Mxenge Memorial Lecture – Public Interest Law Then and Now' delivered at UKZN (April 2013) (edited and published on Oxford Human Rights Hub website and City Press).

'Essential Services: Developing tools for Minimum Service Agreements' (2012) 33 ILJ 801

'Giving Meaning to workplace equity: The Role of the Courts' (2003) 24 ILJ 55

Four-part series of articles on clear writing published in De Rebus between August 2007 and April 2008.

'Domain Names' De Rebus March 2004 p24.

'Law's Republic, Democracy and the South African Constitution' SAPL -2002, v.17 (2), p.319

PAJA v Labour Law SAPL - 2005, v. 20(2), p.413

'Essential Services under the New LRA' ILJ January 2001

'Developing an "Affirmative Action" Jurisprudence' De Rebus December 1999.

'Damages: Loss of Use of an Object' De Rebus, July 1996.

Amnesty International SA (Durban Group) award in recognition as a human rights defender (19 November 2005)

Academic Engagements

Seattle University School of Law: Adjunct Professor (October 2004)

Fellowship: Open University, Milton Keynes, United Kingdom (April - July 2009)

Seattle University School of Law: guest lecturer (15 - 25 January 2010)

Visiting Professor of Law Open University, Milton Keynes, United Kingdom (2010 – 2015)

Faculty of Law, University of Pretoria: Extra-ordinary Professor since 2010

Fellowship: Pembroke College, Human Rights HUB and Human Rights for Future Generations, Oxford, UK (January - March 2014)

Honorary Research Fellow: School of Law University of Kwazulu-Natal (August 2013 - July 2016)

Co-sponsor and academic co-ordinator of the Yunus Mahomed Public Interest Law Publication Award based at four Universities (April 2013 to date)

Fellowship: Harvard Law School (September 2018 – January 2019)

