



PRO BONO

Expressing Our Heritage Through Access to Justice

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The Ties that Bind Us

As South Africa commemorates Heritage Month under the theme “*Celebrating Our Living Heritage: Strengthening the Ties That Bind Us*”, we are reminded that our collective identity extends beyond cultural practices, traditions, and languages. As a constitutional democracy, our heritage is also defined by the foundational democratic values of human dignity, equality, and freedom. The preamble to South Africa’s Constitution explicitly sets our collective national mandate as including the establishment of a society based on these democratic values, as well as social justice and fundamental human rights.

Social justice is a value system, rooted in *Ubuntu*, that enjoins socially responsible individuals or organisations to act toward positive societal transformation by ensuring that every person attains basic human entitlements including, at least: dignity, freedom, equality and justice. Human

rights, as encapsulated in the Constitution—particularly the Bill of Rights—are expressions of the primary legal entitlements which members of South Africa's society may enjoy or benefit from.

Guided by the above, Werksmans views social justice and human rights not as abstract constitutional concepts, but as fundamental principles underlying a call to action to provide access to justice to disenfranchised members of society. To give meaningful effect to social justice and to the realisation of human rights, Werksmans delivers thousands of hours in pro bono legal services every year in several distinct ways.

How Werksmans Provides Access to Justice

- **Public Awareness, Training, and Rights Literacy:** Recognising that a lack of awareness of the law and the rights that people are entitled to is a significant barrier to accessing and enjoying numerous rights, we often publish informative articles online providing insights on various legal issues. Additionally, we present at seminars, webinars, community workshops, and other public engagements to educate members of the public about legal issues that are relevant to them or their communities.
- **Supporting Advocacy Initiatives:** Werksmans routinely monitors legislative developments or proposed changes to statutes or government policies. In the event that any proposed changes are unconstitutional, contrary to the public interest, or otherwise violate the human rights of any community, we support civil society organisations by making submissions to Parliament to address any legal shortcomings in the proposals.
- **Community Outreach:** As a means of bringing legal services to people in underserved communities, Werksmans operates a dedicated law clinic in Diepsloot, a township located in the north of Johannesburg. By establishing a clinic directly in the community, we eliminate barriers such as finances (e.g. transport costs) and geographical limitations that would otherwise prevent those communities from accessing much-needed legal services. We also staff law clinics for other organisations, such as ProBono.Org.
- **Judicial Support:** Beyond assisting clients, Werksmans contributes to the broader administration of justice by providing support to the judiciary. Some of Werksmans' directors serve—on a pro bono basis—as acting judges in the High Court and in the Labour Court, and as commissioners in the Small Claims Court. This contributes to the strengthening of the judiciary's capacity, thereby advancing access to justice.
- **Direct Legal Representation:** Finally, Werksmans provides legal representation to qualifying individuals (i.e. indigent or disenfranchised persons), communities, and entities (e.g. non-profit or civil society organisations) in general dispute resolution and/or human rights litigation (e.g. constitutional, strategic, impact, or public interest litigation). Through legal representation, Werksmans assists clients to enforce their rights against any transgressors.

Conclusion

By providing access to justice in the ways outlined above, it is Werksmans' hope that the ties that bind the people and communities of South Africa together are strengthened, while continuing to develop the diverse tapestry of our living heritage.



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