

# Frequently Asked Questions & Answers



**Disclaimer:** Please note all material in this sheet is provided for your information only and may not be construed as legal advice or instruction. Each personal individual circumstance is different depending on contributing factors. These responses are possible outcomes only.

**Q: Can my Security Guard also be my Driver?**

**A: YES** – provided that person holds both a current Queensland licence as a Bodyguard and a current Queensland licence as a Crowd Controller in addition to a valid Drivers license they can be the same person. However, your security guard and/or driver is not permitted to work for another sex worker while he/she is providing security for you. If you want to employ someone to be a driver only – that person must be in receipt of a valid Queensland Crowd Controllers licence and can only provide driving services. Licences issued in other states will not qualify.

**Q: Can my friend be with me when I work or drive me when I am working?**

**A: NO** – but if your friend is a registered security guard or has a crowd controller licence, they can drive you and act as a bodyguard on your premises.

**Q: Am I allowed to have a message taker on the premises while I am working?**

**A: NO** – you cannot employ a person to take messages for you but you can enlist the services of someone to take a message only to the extent for informing your movements. Message takers are not permitted to answer your phones, return messages to your clients, meet or greet your clients or run errands.

**Q: Am I permitted to use a vehicle that is not registered in my own name for outcalls?**

**A: YES** – you can utilise vehicles registered to others as long as there is no exchange of a financial nature, trade or gain to the registered owner.

**Q: When a client deliberately takes off the condom who do you report it to? PETF or the PLA?**

**A: Report to PETF** – this is a criminal offence.

**Q: I would like to plan an overseas holiday. Can I rent out my apartment to another sex worker?**

**A: YES** – you are allowed to sublet as long as there is no financial benefit, gain or charges involved in addition to the current rental market value.

**Q: Since I don't have a credit card is it okay for me to use my partner's credit card or credit card of a friend or family member to pay for advertising?**

**A: If authorities are satisfied that there is no financial gain, trade or benefit to the registered credit card holder such as living off sex workers earnings they may not pursue legal action.**

**Q: Is it ok for me to tell a client over the phone that I include a massage in my service?**

**A: Negotiation over the phone is not considered to be an advertisement, however you cannot state that you offer services such as therapeutic or sports massage etc.**

**Q: I operate a legitimate counseling and therapy service during the day which has separate phone numbers and advertising to my sex work. Can I use the same business premise to conduct private sex work also?**

**A: YES** – As long as there is only one single sole sex worker on the premise providing sexual services this should be fine. If there are issues regarding operating a business outside of normal working hours then this would be a council issue.

**Q: Can I provide natural oral or French?  
Do I have to use protection if I am providing vaginal relief using my fingers?**

**A:** It is a legal requirement for sex workers in Queensland to use prophylactics such as condoms, dams and gloves for any penetrative sex including the inserting of fingers into the vagina or anus.

**Q: Can a sex worker use the word 'massage' in a newspaper advertisement?**

**A: NO** – Under the Act, a person must not publish an advertisement:

- that describes the services offered
- which might induce a person to seek employment as a sex worker
- that states directly or indirectly, that the person's business provides or is connected with massage services
- using radio, television, film or video recording

**Q: Can I advertise under the massage column if I am only providing hand relief?**

**A: NO** – You cannot advertise under the massage column if you provide a sexual service. It is illegal to advertise in the Therapeutic Massage or Health and Beauty section of the newspaper if you are providing any sexual services (including hand relief/happy endings). You must advertise in the Adult Services column or the Exotic Relaxation column.

**Q: I advertise in the massage section of the newspaper. Is this illegal?**

**A: YES** – It is illegal to advertise in the Therapeutic Massage or Health and Beauty section of the newspaper if you are providing any sexual services (including hand relief). You must advertise in the Adult Services column or the Exotic Relaxation column.

**Q: Can I offer massage when working as a sex worker?**

**A:** You can perform a massage or body slide as part of your service but It is illegal for you to advertise as providing massage services or use the word 'massage' in your ad.

**Q: A client wants to see a sex worker but you are busy and he asks you if you have a friend. Is it legal for you to give him the number?**

**A: NO** – It is illegal for you to refer a client to another sex worker (even if she is your friend) or to work with another sex worker.

**Q: Am I a sex worker if I only provide a massage with happy endings (hand relief)?**

**A: YES** – Providing 'happy endings', 'rub n tug' or 'hand relief' is considered to be a sexual service in Queensland. Under Chapter 229E of the Criminal Code the Meaning of prostitution:  
(1) A person engages in prostitution if the person engages, or offers to engage, in the provision to another person, under an arrangement of a commercial character, of any of the following activities:  
(a) sexual intercourse;  
(b) masturbation;  
(c) oral sex;  
(d) any activity, other than sexual intercourse, masturbation or oral sex, that involves the use of 1 person by another for his or her sexual satisfaction involving physical contact.

**Q: Am I able to work from a Motorhome? If so what are the guidelines? Where would I be allowed to park?**

**A: YES** – You are permitted to work from a Motorhome as long as you do not park in a public area. Parking on private property is fine. Public roads and parks are inappropriate. You can only work from private property and be the only person providing sexual services on that property.

**Q: My ex has just discovered that I am a sex worker and is trying to use this against me to secure custody of our children. What rights do I have?**

**A:** In most circumstances your children will not be removed from your custody based on your sex work history. Sex work is a legal profession in Queensland and therefore lawful work cannot be used against you. Respect Inc have established relationships with sex worker friendly legal representatives who we can refer you to.

**Q: My partner and I rent a home together. Our garage is currently converted into a studio type apartment suitable for working:**

- **Am I allowed to commence sex work from our home if the lease is in both our names?**
- **Considering that this is our home and usual place of residence, is my partner allowed to be on the premises while I am working?**

**A: YES** – You are allowed to work from your own home as long as you are the only person offering sexual services working as a single sole operator from the premise.

**YES** – As this is your partners usual place of residence he/she may be allowed to be on the premises while you are working but strictly must not be involved in the negotiation, must not be present or visible by clients, must not open the doors, meet or greet clients or handle any telephone enquiries OR benefit financially from sex worker earnings. If your partner is unemployed this could be seen as living off sex worker earnings.

**Q: A client rings you and says “my mate and I are from interstate, we wanted to see a couple of girls.” Can you do that?**

**A: NO** – It is illegal for two sex workers to work together or be on the same premises except in a licensed brothel. Police often pose as clients in order to entrap private sex workers into agreeing to do doubles.

**Q: Can I approach or give my details to clients in public places such as cafés, casinos, nightclubs, hotels, streets, clubs and truck stops?**

**A: NO** – it is illegal and you can be charged with public soliciting.

**Q: If a client offers me more money not to use a condom, is this illegal?**

**A: YES** – It is illegal for the client to ask you to provide a sexual service without the use of a condom or dam. It is also illegal for you to agree to provide a service without using a condom/dam. This includes oral sex. Again, this is a common ploy used by police to entrap sex workers into breaking the law.

**Q: Is it illegal for me to advertise in both the massage and adult services sections of the newspaper using the same phone number?**

**A: If you advertise in both sections because you do offer both services, it is recommended that you use two different phone numbers and be very clear which is which. If a police officer phones you on the Therapeutic Massage number and you offer to provide hand relief or full service you will be charged.**

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