

Housing Benefit etc and you hide your escorting income from them, you're committing an offence. If they find out, they will try to get you to stop claiming benefit and may well threaten you with taking you to court.

Got a partner / children / other dependents?

The law's changed: someone has to both *have control over* AND *gain from* (or know that someone else is gaining from) another's prostitution to be illegal, unless you're helping run a brothel. So you can help support your family etc without them being at risk: they don't control your work, therefore they can gain from it.

Clipping

If you take someone's money with the intention of not performing the service offered, you're guilty of obtaining money by deception. Although some clients may not wish to report this, others will ... or they may be more interested in other forms of revenge. Don't.

Cheques

Most escorts only accept cash: it's easier to see if it's genuine; you don't need your own bank account; the client can't try to stop payment (some do!); you don't have to wait for it to clear; and it's anonymous.

But if you do decide to accept a cheque, then you should ensure that the client has a cheque guarantee card that covers the amount and know how to use it.

See www.sw5.info/cheques.htm for more info.

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The legal information in this leaflet may apply to England & Wales only - contact SCOT-PEP for advice about Scotland. It is believed to be correct but it is not legal Advice. For that, you need to speak to a solicitor, accountant or some other qualified person.

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This guide has been adapted from our website:
www.sw5.info - look for the law section

Other useful contact addresses

St Mary's Hospital in Paddington, West London, has two specialist health clinics, one each for male and female sex workers:

Working Men Project **Praed Street Project**
☎ 020 7886 1524 ☎ 020 7886 1549
www.wmplondon.org.uk
Jefferiss Wing, St Mary's Hospital, Praed Street,
Paddington, London W2

Diamond Clinic

A service for male and transgender sex workers, it is part of the West London Centre for Sexual Health.

Charing Cross Hospital, Fulham Palace Road,
London W6 8RF ☎ 020 8846 1579 (ask for the health advisors)
www.chelwest.nhs.uk/services/hivgum/west_london_center.htm

CLASH (Central London Action on Street Health)
Part of the HIV prevention team of Camden & Islington Health Promotion, CLASH works with sex workers in Central London as well as on the gay scene.

11 Warwick Street, London W1B 5NA ☎ 020 7734 1794

IUSW - International Union of Sex Workers
A group of sex work activists who hold monthly open meetings and other campaigning & networking events.
www.iusw.org

GMB

A trades union that offers protection and services to people from all areas of the sex industry through the affiliated IUSW branch
www.gmb.org.uk

Barnardos Young Mens Project

Works with young men under 18 selling sex
3 Morocco Street, London SE1 3HB ☎ 020 7378 8797

SCOT-PEP

The leading sex work charity in Scotland.
70 Newhaven Rd, Edinburgh EH6 5QG ☎ 0131 622 7550
www.scot-pep.org.uk

Escort safety website
www.saafe.info



working with male & transgender sex workers

Escorts and Money

- a brief guide -

Escorts and the law

Escorts and money

Maids and the law

Working alone

Working for an agency

Working in a brothel

Is sex work for you?

Performing in porn

April 2007

Prostitution is legal in the UK. It's legally ok to be paid to have sex with someone.

Part of the basics of safe working in the sex industry is always remembering the first words in the Bible, according to the play *Shopping & Fucking* anyway...

Get The Money First!

Why is this important? Because after the sex, they can walk off without paying!

It's not 'breach of contract'

You can't sue them for the money because you can't make sex part of a legally enforceable contract. This is one of the times when it's better to take a cheque rather than nothing: you can sue if the cheque is stopped.

It's not rape - legally, anyway

If you consent to a doctor giving you an internal exam believing it to be for a medical purpose, but in fact it is being done for their sexual gratification, then it is an offence. The nature and purpose of the act was concealed from you.

But if you consent to someone putting their penis in you knowing it is for a sexual purpose, then it does not matter - legally - if they've lied in order for you to give that consent. (Unless they're pretending to be someone they're not, like your partner.)

It is illegal, but...

It's 'obtaining services by deception' (section one of the Theft Act 1978). The problem is proving that you only had sex with them because they promised to pay you. If you picked them up in a bar or cruising space, for example, this could be difficult.

In our experience, the police *will* respond to such complaints, but it really helps if there's more than one person complaining. And if that's the case, someone's not used the industry's warning systems.

Taxes

You have to pay them!

The two main ones are Income Tax (including National Insurance, which is Income Tax under a

different name so governments can claim to keep Income Tax lower) and VAT, Value Added Tax. Both are now collected by the new HM Revenue & Customs.

VAT

You really do *not* want to be found out not paying this.

Fortunately, unless your business earns (in income, not profits!) more than £64,000 (Apr 2007 figure) in any twelve months, you don't have to bother with it at all. Note that if you have more than one - e.g. if you're an escort while you're not doing private language lessons - then it's the total from *all* of them which counts.

If you do earn that much, you're better off speaking to an accountant rather than relying on a leaflet...

Income Tax

If you don't pay income tax and are discovered, HM R&C can present you with a large bill based on *their* assessment of your undeclared earnings. They can go back a maximum of 12 years, and it's up to you to challenge their figures. Again, your life will be much happier if you are not in this position!

You're supposed to notify them within three months of starting a business, be it escorting or anything else. If

you miss this deadline, there's a small fine (which they can choose to ignore). Don't put off contacting them in the hope they won't notice you - they increasingly read magazines / papers / websites / small ads looking for people advertising unregistered businesses... and some of them are clients of sex workers too.

Tax is payable on your income above an amount which varies from year to year (£5,225 in April 2007). The good news is that you can claim various expenses: if it's exclusively for your escorting work, you can probably use it to reduce your taxable income.

You may need an accountant: ask around to find someone good. It will help (= be cheaper for you) to keep good records - a diary of clients, income, expenditure etc. It's been hard recently to find an accountant who'll take you on if you've been evading tax as an escort - the extra hassle for accountants that's put them off in this case should end soon though.

Most people's experience is that if you are honest with HMR&C, they are fair in return.

Claiming Benefit?

Most benefits are 'means-tested' - they depend on your income. So if you're claiming Job Seekers Allowance /

(Non-)Payment & Rape summary

Six cases, but only three of them are legally - as opposed to morally - 'rape'.

(The man in case E will be guilty of an offence relating to forgery, and the man in case F will be guilty of another offence, eg if he pays by cheque and tells his bank to stop payment on it.)

| | A | B | C | D | E | F |
|--------------|--------------------------------|--|-------------------------------|------------------------------|------------------------------|------------------------------|
| Him: | I want sex, I'll pay you later | I want sex, but I don't want to pay what you're asking | I want sex, here's the money | I want sex, here's the money | I want sex, here's the money | I want sex, here's the money |
| You: | OK | No! | OK | No! | OK | OK |
| | (sex happens) | (sex happens) | (sex starts) | (sex happens) | (sex happens) | (sex happens) |
| You: | Where's my money? | | Stop! | | This money's forged! | |
| Him: | I never intended to pay you | | No, I want what I've paid for | | I know | I'm taking back my money |
| Rape? | NO | YES | YES | YES | NO | NO |