

Exploring police use of diversion for sexual offences

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625

Abstract

Purpose – To examine the role of police as gatekeepers to the criminal justice system through their use of diversionary mechanisms in response to sexual offending.

Design/methodology/approach – The study involves statistical analyses of existing police administrative data (from 2012–21) obtained from one Australian jurisdiction, Queensland.

Findings – Young people were more likely to receive a diversionary response than adults (i.e. more than 99%), with diversionary actions increasing slightly over time, and most being police cautions (i.e. 84.9%). Compared to young males, young females were more likely to receive a diversionary response, which was more likely to be a caution than a conference referral. This pattern was consistent over time; young people from First Nations backgrounds were less likely to receive a diversionary response than non-Indigenous young people, but if they received one, they were more likely to be referred to a restorative justice conference than non-Indigenous young people. This was also a consistent pattern over time.

Research limitations/implications – This study highlights the need for further research into the factors shaping police use of diversion in sexual offence cases, to better understand in what circumstances it is being used, and where it could be leveraged further, as appropriate.

Originality/value – This study offers a novel exploration of police actions in response to sexual offending, focusing on the mechanism of police diversion. It delineates the use of diversionary options over time, across offence types, and by gender, age and cultural heritage, providing fresh insights into the use of diversion in policing practice for sexual offence cases.

Keywords Diversion, Restorative justice, Caution, Police action, Sexual offences

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Introduction

The prevalence of sexual offending is a critical issue that challenges legal systems, communities, and public safety worldwide. Despite efforts to address sexual violence, it remains a pervasive issue (e.g. [Australian Bureau of Statistics \[ABS\], 2024](#); [Borumandnia et al., 2020](#)). Traditionally, the criminal justice system has focused on punitive measures to address these offenses, often relying on legal proceedings and incarceration that may serve to protect the community by deterring or incapacitating offenders; however, it may not always address the underlying causes of offending behaviour ([Bersot and Arrigo, 2015](#); [Bull, 2009](#)). The concept of diversion has emerged as an alternative to the conventional criminal justice approach, aiming to redirect individuals away from formal legal processes toward community-based or other forms of intervention ([Klar-Chalamish, 2021](#)). Diversion programs seek to address offending behaviour through treatment, education, or community-based alternatives, which, in turn, may reduce recidivism and the stigma associated with receiving criminal convictions (e.g. [Daly, 2006](#); [Lawler, 2025](#)). Police play a crucial role in this process, often acting as gatekeepers, influencing both the accessibility and success of diversion programs ([Bradford and Jackson, 2015](#)).

However, there remains a significant gap in research regarding the role of diversion in policing practice, particularly in response to sexual offending. Police have substantial discretionary power in determining whether individuals are diverted from formal legal



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proceedings. Hence, understanding how police contribute to these diversionary pathways is crucial for improving the justice system's response and developing more targeted interventions to reduce sexual reoffending, as appropriate. This study aims to contribute knowledge to this gap, by examining the police actions against individuals accused of sexual offending over a 10-year period in Queensland, Australia, offering critical insights to inform policy and practice in addressing sexual harm.

Summary literature review

The prevalence of sexual offending is a critical issue. One study, using data from the Global Burden of Disease database, suggested the global rate of sexual violence victimisation had remained unchanged for over 20 years (i.e. 1993–2017), around 1.2% for men and 2.7% for women, with some of the highest rates in Australia and Oceania (Borumandnia *et al.*, 2020). However, other studies suggest that the prevalence is much higher, and it is widely acknowledged that most sexual offences remain unreported (e.g. Constantin *et al.*, 2025). For example, another global prevalence study, involving a systematic review of literature with a focus on sexual victimisation, suggested the rates varied, up to 59.2% for women and 55.5% for men (Dworkin *et al.*, 2021). Furthermore, a self-report study in Hong Kong indicated as many as 18% of young adults had engaged in sexually harmful behaviours toward others (Chan and Myers, 2023). In Australia, between 2010 and 2018, the rate of sexual victimisation had increased more than 30%, from 66.8 people per 100,000 to 90.2 (Australian Institute of Health and Welfare, 2020). Since then, the rate of sexual victimisation has continued to rise, reaching the highest rate ever recorded by the Australian Bureau of Statistics in 2024; to 136 people per 100,000 (Australian Bureau of Statistics [ABS], 2024). The widespread nature of sexual offending and alarming prevalence rates in some jurisdictions, underscore the importance of understanding how sexual offending is addressed, in order to reduce its occurrence.

Given the gravity of such crimes, sexual offending is typically processed through formal legal mechanisms, such as police investigations, prosecution, and court. As sexual offending has long lasting impacts on mental, physical, social and economic well-being, these formal mechanisms can provide a level of protection from further harm (George *et al.*, 2023). However, the criminal justice system faces persistent challenges in handling sexual offenses, including underreporting, revictimisation, and low conviction rates (Cashmore *et al.*, 2019; Mathews *et al.*, 2025; Jordan, 2015). Traditional justice responses have also been critiqued for their limited effectiveness in reducing recidivism and failing to adequately address the needs of victims, who may be retraumatised by legal proceeding (Bersot and Arrigo, 2015; George *et al.*, 2023; McGlynn and Westmarland, 2019). This has led to a growing exploration of alternative or diversionary responses to sexual offending, such as restorative justice programs (e.g. Gxubane, 2016; Daly, 2006), which hold offenders to account while allowing opportunity for reparation.

Diversionary practices for sexual offences

Diversionary responses typically aim to redirect offenders away from formal legal mechanisms and towards alternative interventions, often considered to be less punitive (Mueller-Smith and Schnepel, 2021). By addressing offending outside these formal legal mechanisms, the adverse effects of engaging with the criminal justice system can be mitigated, reducing the stigma around offenders and re-entry, and reducing the negative impacts on relationships and employment (Mueller-Smith and Schnepel, 2021; Porter, 2011). This type of response is more common for justice-involved young people but can also be used for adult offenders (Price *et al.*, 2022; Richards, 2014). The use of diversion varies between jurisdictions, though it is usually restricted to first-time or early career offenders, young people and minor offences. In saying this, there are a growing number of examples of diversionary practices or programs being used to address sexual offending (e.g. Beck *et al.*, 2022; Lawler *et al.*, 2025).

In these instances, diversion programs commonly aim to reduce the likelihood of sexual reoffending, while protecting and supporting victims in the aftermath of the offence (Klar-Chalamish and Peleg-Koriat, 2021; Titcomb *et al.*, 2012). One example, noted above, is restorative justice – a non-adversarial justice mechanism, focused on reparation and healing harm (e.g. Lawler *et al.*, 2025; Price *et al.*, 2021). Diversionary restorative justice programs most commonly include conferencing, victim-offender mediation and restorative circles. For sexual offending, specifically, research indicates these programs can reduce the rate and/or severity of sexual reoffending (e.g. Daly, 2006; Lawler *et al.*, 2025). For example, Daly (2006) compared reoffending outcomes for young people who proceeded through court to those who participated in a restorative justice conferencing; overall reoffending rates were lower among those conferenced (48%) than those who proceeded through court (66%). Studies have also shown these programs may offer greater benefits than traditional justice system responses to victims of sexual offending, such as improved psychological and emotional well-being (e.g. Klar-Chalamish and Peleg-Koriat, 2021; Nascimento *et al.*, 2023).

While restorative justice programs have shown promise, the broader landscape of diversion programs also demonstrate significant potential in addressing sexual offending, with research also showing reductions in recidivism and improvements in offender behaviour and attitudes for some programs (e.g. Goodman-Delahunty and O'Brien, 2014; Muthaphuli, 2017). For example, one study by Goodman-Delahunty and O'Brien (2014) demonstrated adults convicted of parental child sexual abuse offences who completed a community-based diversionary treatment program were 11 times slower to reoffend than those who were declined entry, after controlling for differences in risk profile; while another study by Muthaphuli (2017) indicated a diversionary treatment camp for young people charged with sexual offences had improved young people's sense of belonging and connection to others, which facilitated improved attitudes toward and treatment of others (i.e. including peers, siblings, and females specifically). Hence, diversion programs can reduce victimisation and enhance community safety by reducing the risks associated with sexual reoffending.

Of note, there are very few empirical studies on the use of police cautions to respond to allegations of sexual offending – which are a type of formal warning issued to a young person *in lieu* of processing through the court system (Youth Justice Act 1992 (Qld) pt 2 division 2). One example by Daly *et al.* (2013) compared the use of formal cautions, restorative justice conferencing and court for young people who had committed a sexual offence, using data from 1995–2001. While the results seemed promising in terms of recidivism, the authors highlighted some of the complexities of sexual offending, which likely impacted study outcomes, such as the correlation between the nature of the offence (e.g. contact or non-contact) and type of justice response. Specifically, Daly *et al.* (2013, p. 258) stated, “the legal pathways are set in motion by a youth's admission to an offence early on”; acknowledging that a key element in the effectiveness of these programs could be the role of police, who often act as gatekeepers – determining the point of diversion and, thereby, potentially influencing the success of such initiatives.

Role of police in diversion pathways

Police play a crucial gatekeeping role in the criminal justice system, wielding substantial discretionary powers, shaping case outcomes and influencing access to victim services. These powers enable officers to make judgement-calls, which – while essential – can allow for potential misuse and abuses (Bradford and Jackson, 2015). For example, studies have shown that officers' attitudes towards offenders and rehabilitation have influenced their willingness to use diversion (e.g. Pearce, 2021; Schaible *et al.*, 2020). In most instances, this has been to the detriment of minority ethnic groups, such as Aboriginal and Torres Strait Islander young people in Australia (e.g. Cunneen *et al.*, 2021; Little *et al.*, 2011). This is particularly important as experiences with police during youth have a direct correlation with further entrenchment with the justice system, whereby young people who receive punitive police actions (i.e. arrest)

for first or second offences have worse justice outcomes, than those who are diverted (e.g. [Cauffman et al., 2023](#); [Little et al., 2011](#)).

In cases of sexual offending, research has explored the role of police as barriers to case progression (e.g. [Yung, 2016](#)), in terms of deterring disclosure (e.g. [Murphy-Oikonen et al., 2022](#)) and the adhering to rape myths (e.g. [Gekoski et al., 2024](#)). However, only a few studies – such as [Tasca et al. \(2013\)](#), [Garza \(2024\)](#) and [Lapsey et al. \(2021\)](#) – have examined the role of police as gatekeepers; and, even less research has investigated the impacts of this on outcomes for alleged perpetrators. Specifically, [Garza \(2024, p. 7\)](#) identified that sexual assault cases that did not align with rape myths (or “real rape schemas”) were less prioritised than those that adhered to these ideas, and [Tasca et al. \(2013\)](#) reported that failure to arrest in cases of sexual assault was predicted by police perceptions that the victim lacked credibility, largely due to a history of drug use or prostitution. As noted, most studies on police decision-making have focused on victim characteristics, such as credibility, age and alcohol use ([Lapsey et al., 2021](#)), creating a substantial gap in knowledge and understanding of how police assess alleged perpetrators of sexual offences and what influence this may have on discretionary decisions in police action.

Given the concerning prevalence of sexual offending and the potential – but underexplored – benefits of diversionary responses (where appropriate), it is timely to explore the role of police as gatekeepers in these cases. Hence, this study sought to explore the use of police diversion over time; and whether, and if so how, police responses differ between individuals accused of sexual offences, based on differences in demographics, with consideration of the type of offending. The study used policing data from one jurisdiction in Australia (i.e. Queensland), as a case study, over a period of approximately 10-years (2012–2021). In this context, police diversion refers to the actions available to Queensland police officers that *do not* result in a suspected perpetrator coming into contact with the court system (i.e. formal caution or restorative justice conference referral). In Queensland, the use of diversion is discretionary, within set parameters for young people and adults, such as severity of offence and prior criminal history (e.g. elderly first time offender) ([Youth Justice Act 1992 \(Qld\) s 11](#); [Police Powers and Responsibilities Act 2000 \(Qld\) ch 14 p. 3](#)). The key findings from this study may be used to inform the continued refinement and development of policy and practice, to aid in the reduction of sexual recidivism through the appropriate use of diversionary programs. As sexual offending is a concern worldwide, these findings offer key lessons to support the global response to sexual harm.

Method

This study used a quantitative research design, involving statistical analysis of existing policing data to examine the role of police as gatekeepers to diversionary responses in cases of sexual offending. Specifically, the study explored: (1) whether there were demographic differences (i.e. age, gender and cultural heritage) in the use of diversion, and how these differences changed over time; (2) how offending patterns differed by these groupings, and whether these patterns changed over time; and (3) whether the use of diversion could be predicted by demographic characteristics, when controlling for the influence of offence type and time (i.e. year). These three questions reflect a staged approach, that first established the patterns and trends in diversion practices and offending behaviours, before providing a more robust examination of police diversion practices.

Data

The current study utilised police records obtained from Queensland Police Service (QPS), in Australia. The data was extracted from the Queensland Police Records and Information Management Exchange (QPRIME) database. The resulting dataset contained all cases of sexual offenses actioned by QPS between 1 January 2012 and 30 June 2021, which included

39,844 cases, with 22,864 unique alleged perpetrators and 56,636 total charges. All cases with unknown perpetrator cultural heritage or gender were excluded, as well as all cases whose age at “offence commencement” was indicated as under 10-years – aligning with the age of criminal responsibility in Queensland ([Criminal Code Act, 1899](#), s29). Additionally, 24 cases were identified as outliers through visual inspection (i.e. boxplots) in SPSS, and were removed from the dataset. This resulted in a total sample of 38,384 cases, involving 21,887 alleged perpetrators and 53,261 charges.

Sample

Almost two-thirds of cases related to adult perpetrators (64.8%; $n = 24,872$) at the time the recorded offence/s had commenced, with ages ranging from 10 to 94 years ($M = 29$ years; $SD = 15.91$). Most of the cases were related to male perpetrators (88.5%; $n = 33,953$) and non-Indigenous individuals (81.4%; $n = 31,239$). Almost two-thirds of cases were recorded as assaultive offences (61.2%; $n = 23,507$), which included non-aggravated assault against a child (48.3%) and rape (26.1%) among other offences.

Independent variables

Independent variables included demographics (i.e. age, gender, and cultural heritage) and basic offence details. “Age” was coded as 0 = youth (10–17 years) and 1 = adult (18+ years), based on the age at the onset of offending; “gender” was coded as 0 = Male and 1 = Female; and “cultural heritage” was coded as 0 = non-Indigenous Australian and 1 = First Nations Australian identity. The dataset included the Australia and New Zealand Standard Offence Classification ([ABS, 2023](#)) subdivision offence description, which were coded as “offence type”, where 0 = non-assaultive sexual offences and 1 = sexual assault. Non-assaultive sexual offences included non-assaultive sexual offences against a child (e.g. grooming or forcing a child to witness a sexual act), child pornography, wilful exposure, and non-assaultive sexual offences (not elsewhere classified; remainder). Sexual assault offences included rape, attempted rape, assault with intent to commit rape, carnal knowledge of children, non-aggravated assault against a child, incest, other sexual assaults (consent proscribed), and non-aggravated sexual assault (not further defined).

Dependent variable

This study focused on one dependent variable, the “type of police action” in response to sexual offending. This was coded categorically, in line with codes contained within the provided dataset, as follows: 1 = arrest; 2 = caution; 3 = restorative justice conference; 4 = notice to appear; 5 = summons; 6 = warrant; 7 = other [1]; and 99 = not stated. Additionally, a binomial code was created, coded as 0 = diversionary (i.e. caution and restorative justice conference) and 2 = non-diversionary. All “other” and “non-stated” actions were excluded from analyses due to the diversity of responses recorded within the “other” category and potential of both categories to affect the results.

Analytic strategy

As noted above, a staged approach was used for the analysis. Several preliminary tests (bivariate analyses) were conducted to explore relationships between variables and determine independent variables from covariates for subsequent multivariate analyses. This is recognised as a mandatory precursor to more complex analyses, to ensure multivariate analyses do not prematurely attribute independent effects to certain variables (e.g. [Bertani et al., 2018](#)). First, Chi-Squared Tests for Independence were conducted to explore the relationship between age and police action, and type of diversionary action more specifically. Chi-Squared Tests for Independence were also conducted to explore the relationship between gender, police action and diversionary action and between cultural heritage, police action and diversionary action.

Results of these analyses led to an exclusive focus on juveniles for the remainder of the study [2]. The dataset was split by gender and year for further examination of data. Second, for the juvenile sample only, Chi-Squared Tests for Independence were conducted to explore the relationship between type of offence and gender and cultural heritage, and between police action and offence category.

Having completed these preliminary tests, a hierarchical logistic regression was used to explore gender and cultural heritage as a predictor of police action, while controlling for the influence of offence category in the juvenile sample. All analyses used a confidence interval of 95%.

Findings

Table 1 presents the findings of the bivariate comparisons.

- (1) Does the use of diversion for sexual offences differ by perpetrator age, gender or cultural heritage? And, do these patterns differ over time?

As mentioned, the use of diversion did differ for sexual offences by perpetrator age, gender and cultural heritage. There was a significant relationship between the type of police action and age ($X^2(1, n = 32,915) = 22,460.50, p < 0.001, \phi = -0.83$). As reported in Table 1, there were stronger associations between adults and non-diversionary responses, and between juveniles and diversion, with the data indicating diversionary options may have been less accessible to adults during this time. With juveniles representing more than 99% of diversionary actions, the sample was restricted to juveniles only for the remainder of the study.

Within the juvenile group, there was a significant correlation between police action and gender ($X^2(1, n = 10,893) = 6,685.46, p < 0.001, \phi = 0.45$). There were stronger associations between juvenile males and non-diversion, and between juvenile females and diversion, indicating diversionary options were utilised more for juvenile female perpetrators than juvenile male perpetrators during the observation period. These same gender patterns are observed at each annual time point (i.e. 2012–2021) (Figure 1). Of those who were diverted ($n = 8,405$), 84.9% received a caution; with juvenile females more likely to receive a caution than males (94.5 vs 79.7%) ($X^2(1, n = 8,406) = 329.44, p < 0.001, \phi = -0.198$). See also Table 2.

There were also significant associations between cultural heritage and police action in the juvenile group overall ($X^2(1, n = 10,893) = 377.06, p < 0.001, \phi = -0.19$; see Table 1); a pattern observed in every year examined; whereby the proportion of juveniles from First Nations backgrounds receiving diversionary referrals was significantly less than non-Indigenous juvenile. As illustrated in Figure 2, the long-term trends in these police actions indicate that diversion was more accessible to non-Indigenous juveniles, than juveniles from First Nations backgrounds, though both groups experienced an increase in the use of diversionary referrals overall during this period. While both groups (i.e. juveniles from First Nations backgrounds and non-Indigenous juveniles) were more likely to receive a caution than a referral to a restorative justice conference, juveniles from First Nations backgrounds were more likely to be referred to a restorative justice conference than non-Indigenous juveniles ($X^2(1, n = 8,406) = 6.14, p = 0.013, \phi = 0.027$).

As there were significant variations by gender, this variable was utilised to explore cultural heritage at a deeper level, with the sample split by gender. There were significant correlations between cultural heritage and police action overall for males ($X^2(1, n = 7,833) = 273.34, p < 0.001, \phi = 0.19$; see Table 1) and females ($X^2(1, n = 3,061) = 18.71, p < 0.001, \phi = 0.08$), and in every year observed, for juvenile First Nations males (Appendix); whereby juveniles from First Nations backgrounds received significantly less diversionary referrals, than non-Indigenous juveniles overall, which was most apparent for juvenile males from First Nations backgrounds. As illustrated in Figure 3, the long-term trends in these police actions indicate

Table 1. Chi-squared test for independence – police action by age, gender, cultural heritage and offence category

			Police action		
			Diversion	Other	Total
Age	Youth (<18)	Count	8,405	2,488	10,893
		% within Age	77.2%	22.8%	100.0%
		% within Police	99.0%	10.2%	33.1%
		Action			
		Adjusted Residual	149.9	-149.9	
	Adult (18+)	Count	81	21,941	22,022
		% within Age	0.4%	99.6%	100.0%
		% within Police	1.0%	89.8%	66.9%
		Action			
		Adjusted Residual	-149.9	149.9	
Total	Count	8,486	24,429	32,915	
	% within Age	25.80%	74.20%	100.00%	
<i>Juvenile sample only (n = 10,893)</i>					
Gender	Male	Count	5,451	2,381	7,832
		% within Gender	69.6%	30.4%	100.0%
		% within Police	64.9%	95.7%	71.9%
		Action			
		Adjusted Residual	-30.1	30.1	
	Female	Count	2,954	107	3,061
		% within Gender	96.5%	3.5%	100.0%
		% within Police	35.1%	4.3%	28.1%
		Action			
		Adjusted Residual	30.1	-30.1	
Total	Count	8,405	2,488	10,893	
	% within Gender	77.2%	22.8%	100.0%	
Cultural heritage	Non-Indigenous	Count	7,182	1,698	8,880
		% within Cultural Heritage	80.9%	19.1%	100.0%
		% within Police	85.4%	68.2%	81.5%
		Action			
		Adjusted Residual	19.4	-19.4	
	First Nations	Count	1,223	790	2,013
		% within Cultural Heritage	60.8%	39.2%	100.0%
		% within Police	14.6%	31.8%	18.5%
		Action			
		Adjusted Residual	-19.4	19.4	
Total	Count	8,405	2,488	10,893	
	% within Cultural Heritage	77.2%	22.8%	100.0%	
Offence category	Non-Assaultive Sexual Offences	Count	5,778	424	6,202
		% within Offence Category	93.2%	6.8%	100.0%
		% within Police	68.7%	17.0%	56.9%
		Action			
		Adjusted Residual	45.7	-45.7	
	Sexual Assault	Count	2,627	2,064	4,691
		% within Offence Category	56.0%	44.0%	100.0%
		% within Police	31.3%	83.0%	43.1%
		Action			
		Adjusted Residual	-45.7	45.7	

(continued)

Table 1. Continued

			Police action				
			Diversion	Other	Total		
	Total	Count	8,405	2,488	10,893		
		% within Offence Category	77.2%	22.8%	100.0%		
Cultural heritage (Male only)	Non-Indigenous	Count	4,604	1,620	6,224		
		% within Cultural Heritage	74.0%	26.0%	100.0%		
		% within Police Action	84.4%	68.0%	79.5%		
	First Nations	Adjusted Residual Count	16.5	-16.5	848	761	1609
		% within Cultural Heritage	52.7%	47.3%	100.0%		
		% within Police Action	15.6%	32.0%	20.5%		
Total	Adjusted Residual Count	-16.5	16.5	5,452	2,381	7,833	
	% within Cultural Heritage	69.6%	30.4%	100.0%			
Cultural heritage (Female only)	Non-Indigenous	Count	2,579	78	2,657		
		% within Cultural Heritage	97.1%	2.9%	100.0%		
		% within Police Action	87.3%	72.9%	86.8%		
	First Nations	Adjusted Residual Count	4.3	-4.3	375	29	404
		% within Cultural Heritage	92.8%	7.2%	100.0%		
		% within Police Action	12.7%	27.1%	13.2%		
Total	Adjusted Residual Count	-4.3	4.3	2,954	107	3,061	
	% within Cultural Heritage	96.5%	3.5%	100.0%			

Note(s): Significant differences between groups are indicated in italic font (using adjusted standard residuals greater than 2)

Source(s): Authors' own work

that diversion was most accessible to non-Indigenous juvenile females and least accessible to juvenile males from First Nations backgrounds.

(2) How do offending patterns differ by perpetrator gender and cultural heritage?

Having identified significant correlations between the type of police action and perpetrator age, gender and cultural heritage, it was necessary to briefly examine the offending patterns of perpetrators to provide context and determine whether these patterns may have also influenced the type of police actions. A significant correlation between the type of police action and the offence category (i.e. assaultive or non-assaultive) was identified ($X^2(1, n = 10,894) = 2,092.34, p < 0.001, \phi = 0.44$), indicating non-assaultive offences were more likely to receive a diversionary police action. Exploring this further, there were also significant correlations between offence type and gender ($X^2(11, n = 13,512) = 2,675.80, p < 0.001, \phi = 0.45$), and between offence type and cultural heritage ($X^2(11, 13,512) = 1017.18, p < 0.001, \phi = 0.27$). These correlations indicate and that there were greater proportions of juvenile male perpetrators and

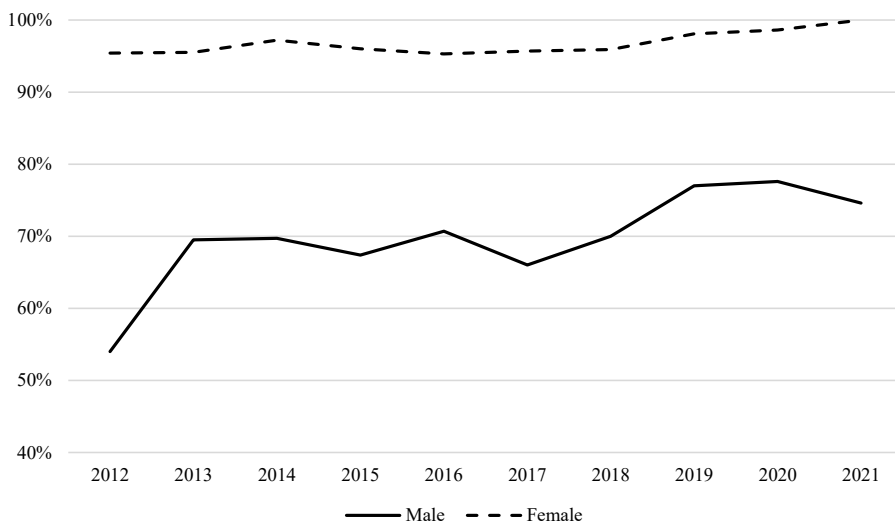


Figure 1. Police diversion rates by gender. Source: Authors' own work

Table 2. Frequency of police action for juvenile sample

	Male Frequency	Percent	Female Frequency	Percent
Arrest	1,934	19.7	79	2.1
Cautions	4,346	44.4	2,793	75.1
Community conference	1106	11.3	161	4.3
Notice to appear	371	3.8	25	0.7
Summons	5	0.1	0	0.0
Warrant	71	0.7	3	0.1
Other	1470	15.0	331	8.9
Not stated	493	5.0	325	8.7
Total	9,796	100.0	3,717	100.0

Source(s): Authors' own work

juveniles from First Nations backgrounds having committed assaultive offences, than juvenile females or non-Indigenous juveniles. Hence, females and non-Indigenous juvenile were more likely to receive diversionary police actions, proportionate to type of offence.

- (3) Can the use of diversion among juveniles be predicted by perpetrator, gender or cultural heritage, when controlling for offence type and time?

A hierarchical logistic regression analysis was conducted to determine whether gender or cultural heritage were unique predictors of police action taken within the juvenile sample, while controlling for the influence of offence category and time. The covariates – offence category and year – were entered at Step 1, explaining 77.2% of the variance of action taken, which was statistically significant for both covariates (Table 2). Gender was entered at Step 2, with a small change to the model of 0.1%, accounting for 77.3% of the variance of action taken for sexual offenses. Cultural heritage was entered at Step 3, improving the model to account for 78.9% of the variance of police action taken (i.e. diversion or otherwise), a small but

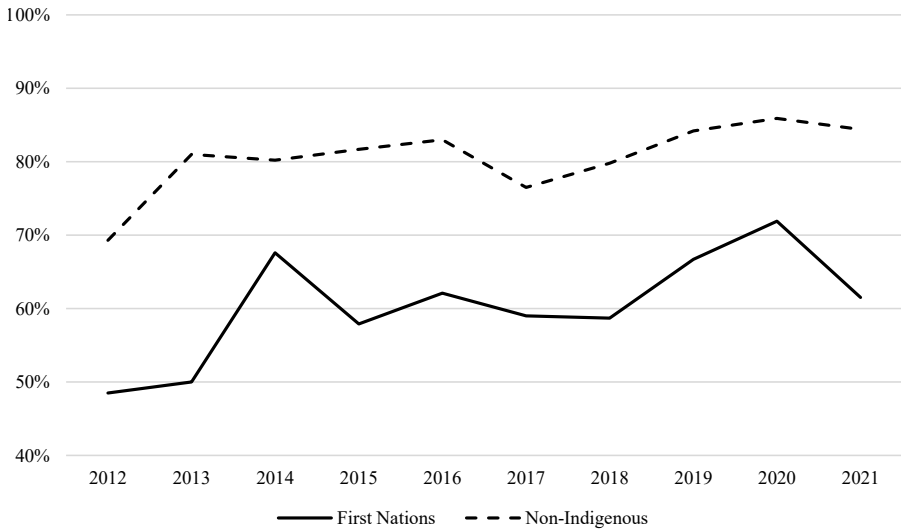


Figure 2. Police diversion rates by cultural heritage. Source: Authors' own work

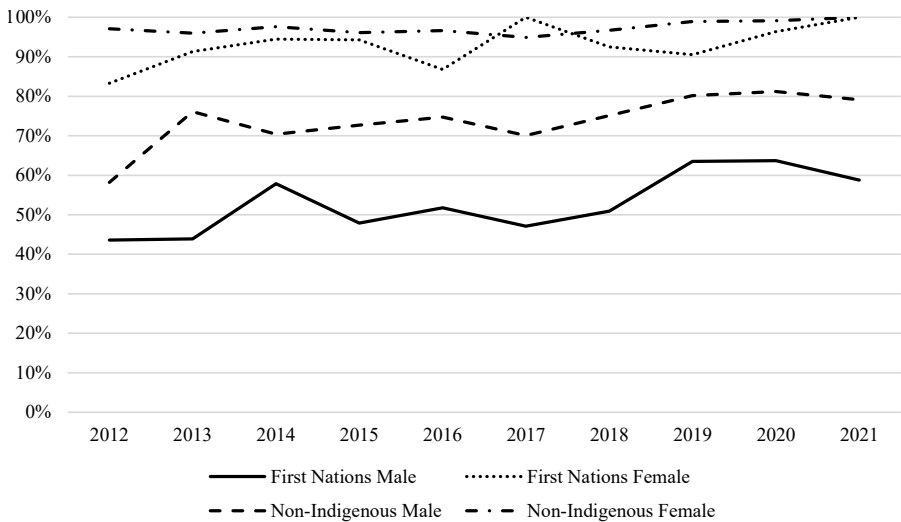


Figure 3. Police diversion rates by cultural heritage and gender. Source: Authors' own work

significant increase. As shown in [Table 3](#), the odds of receiving a non-diversionary response was seven times greater for cases involving assaultive offences, with offence type making the strongest unique contribution to the model, recording an odds ratio of 7.0. Further to this, juvenile male perpetrators were 81.0% less likely to result in a diversionary action, than those involving female perpetrators, controlling for the influence of offence category and year. Additionally, cultural heritage had also made a unique contribution to the model, recording an odds ratio of 2.0, which suggests that cases with juveniles from First Nations backgrounds are twice as likely to result in a non-diversionary action, than those involving non-Indigenous

Table 3. Hierarchical logistic regression predicting likelihood of police action by gender and cultural heritage

	B	SE	Wald	df	p	Odds ratio	95% CI for odds ratio Lower	Upper
Step 1						$X^2(210,894) = 2272.16, p < 0.001$		
Offence category	2.41	0.06	1679.02	1	<0.001*	11.11	9.91	12.47
Year	-0.10	0.01	93.32	1	<0.001*	0.91	0.89	0.93
Constant	188.12	19.74	90.81	1	<0.001*	4.98		
Step 2						$X^2(3, 10,894) = 2601.84, p < 0.001$		
Offence category	2.02	0.06	1096.85	1	<0.001*	7.53	6.68	8.49
Year	-0.10	0.01	107.10	1	<0.001*	0.90	0.89	0.92
Gender	-1.66	0.11	241.77	1	<0.001*	0.19	0.15	0.23
Constant	203.88	19.91	104.91	1	<0.001*	3.49		
Step 3						$X^2(4, 10,894) = 2730.77, p < 0.001$		
Offence category	1.95	0.06	1003.59	1	<0.001*	7.00	6.21	7.90
Year	-0.10	0.01	99.76	1	<0.001*	0.91	0.89	0.92
Gender	-1.65	0.11	237.22	1	<0.001*	0.19	0.16	0.24
Cultural heritage	0.69	0.06	130.39	1	<0.001*	2.00	1.78	2.25
Constant	198.20	20.07	97.55	1	<0.001*	1.20		

Note(s): *. Significant at 0.001 level (two-tailed)
 Offence Category: 0 = Non-assaultive, 1 = Assaultive
 Gender: 0 = Male, 1 = Female
 Cultural Heritage: 0 = Non-Indigenous, 1 = First Nations
 Outcome: 0 = Diversion, 1 = Non-diversion
 Year (Continuous)

Source(s): Authors' own work

perpetrators. Year was also significant, although made the smallest contribution to the model, with arrest being 9.0% less likely over time.

Discussion

This study explored whether police responses differed between individuals accused of sexual offences, with a focus on diversion, and found that responses did differ based on the nature of the offence (i.e. assaultive or non-assaultive) and the accused's age, gender and cultural heritage. Using policing data from Queensland, Australia, over a period of approximately 10 years (i.e. 2012–2021), the findings show that young non-Indigenous females were most likely to be issued a police caution, compared with other groups (e.g. young females from First Nations backgrounds or young non-Indigenous males) – which is arguably the most lenient response in these data. As most diversionary responses were issued to young people, the study focused on this sub-sample. The findings showed that young males were more likely to be arrested than young females, even when controlling for the type of offense (i.e. assaultive or non-assaultive). Similarly, young people from First Nations backgrounds were more likely to be arrested than non-Indigenous young people, which reflects existing evidence of police bias toward First Nations young people in this jurisdiction (e.g. Little *et al.*, 2011). In saying this, the findings did also clearly show that the type of offence had the strongest influence on the type of police response than all other variables considered, indicating that its use is arguably more aligned with the perceived magnitude of the offense. However, there are significant complexities to consider in interpretation, as First Nations young people were overrepresented in assaultive offences and face greater disadvantages stemming from systemic bias (e.g. Adams *et al.*, 2020), which are likely reflected in the offending data. Hence, this study

underscores the need for clear, evidence-informed guidelines and training to support decision-making around diversion for cases involving sexual offending.

The findings align with traditional views of diversion evident in existing literature. For example, traditional views of diversion reserve these alternative justice responses for young people and minor or less severe offending (e.g. [Price et al., 2022](#); [Richards, 2014](#)). In this study, over 99% of diversion responses were issued to young people, indicating support for the notion that access to diversion should be limited to young people – particularly in cases of sexual offending. Additionally, the results showed that diversion was statistically more common in non-assaultive offences, than assaultive offences, which provides further support for the existing idea that diversion should be used in cases where the harms are considered to be minor or less severe. While traditionally punitive police responses (e.g. arrest) were the most common response to sexual offending in this study overall, these findings illustrate that diversionary practices are tentatively being used to address sexual offending in Queensland, increasing slightly over time, and predominantly for non-assaultive cases. While diversion itself is not an emerging practice, the utilisation of diversion in cases of sexual harm specifically has remained relatively limited (e.g. [Beck et al., 2022](#); [Lawler et al., 2025](#)).

Examining these findings closer, as noted above, young non-Indigenous females were most likely to receive a diversionary response, which likely reflected that young females were also most likely to engage in non-assaultive offenses. This reflects recent findings by [Hull et al. \(2024\)](#), who utilised this same dataset, identifying an increase in females coming into contact with the police for sexual offences, and that young non-Indigenous females were most likely to engage in online child sexual abuse offending. In their study, these online cases largely included child sexual abuse material offences. However, other research has highlighted the complexities of child sexual abuse material offences by young people, which may include self-produced child sexual abuse materials and sharing images of others without consent (e.g. “revenge pornography”) ([Crofts et al., 2015](#); [eSafety, 2017](#); [Leet et al., 2015](#)). This raises important considerations about the most appropriate ways the justice system could respond to youth-perpetrated sexual offending, depending on the circumstances of these offenses. A nuanced approach is deemed most appropriate; one which can attend to the complexities of sexual offending by young people and associated harms. Hence, greater use of diversionary responses may be warranted.

The benefits to addressing sexual offending outside formal legal mechanisms have been established in diversion literature (e.g. [Mueller-Smith and Schnepel, 2021](#); [Porter, 2011](#)). Specifically, studies have shown that cautions and restorative justice programs can reduce the rate and/or severity of sexual offending (e.g. [Daly, 2006](#); [Daly et al., 2013](#); [Lawler et al., 2025](#)), while restorative justice programs can also provide benefits to victim-survivors of sexual offending, such as validation and the healing of relationships (e.g. [Klar-Chalamish and Peleg-Koriat, 2021](#); [McGlynn and Westmarland, 2019](#)). Hence, those young people (and the few adults) who received a diversionary response were likely to experience a greater benefit from this police action, than those who were responded to by other means. However, the findings show that the use of diversion was somewhat limited, especially referrals to restorative justice conferencing. This highlights a missed opportunity to provide a greater number of people – both those who have harmed and those who have been harmed – with access to these potential benefits. Of course, diversion is not appropriate in all cases, but the pattern of use (i.e. the traditional view of diversion) suggests there may be scope to increase the utilisation of diversionary responses to sexual offending, as appropriate, to enhance justice outcomes and increase community safety through positive behaviour change (e.g. [Muthaphuli, 2017](#)).

Additionally, the disparity in police responses highlighted by the findings further illustrate the crucial gatekeeping role of police recognised in extant literature. For example, the gender disparity, with young females disproportionately represented in diversionary responses, aligns with literature dating back to the 1980s (e.g. [Alder, 1984](#)). Research has also shown that cultural minority groups, particularly the Aboriginal and Torres Strait Islander young people of Australia, are most likely to be negatively impacted by police discretion (e.g. [Cunneen et al.,](#)

2021; Little *et al.*, 2011). However, Aboriginal and Torres Strait Islander young people are disproportionately exposed to personal stressors and systemic disadvantages, which have been significantly associated with the onset of sexual offending, with sexual behaviours that are often more complex than those of non-Indigenous young people (Adams *et al.*, 2020). As such, this finding likely reflects both the systemic bias and continuing disadvantages experienced by Aboriginal and Torres Strait Islander Peoples and police bias, and thereby provide further justification for effective policy and actions developed in partnership with First Nations Communities to address these disadvantages and reduce disparity in police actions.

While this study focused on sexual offending in Queensland, the findings provide valuable insights and lessons for police responses to sexual offending in other jurisdictions. Given the gender disparity in police responses, the findings have implications for all police agencies and the communities they serve, to examine practice and explore the merits of diversion for sexual offending, as described above. Additionally, the findings of disparity by cultural heritage have particular relevance for similar jurisdictions – such as New Zealand and Canada, where Indigenous Peoples are also over-represented in criminal justice measures. All police forces should work together with Indigenous Peoples to develop and implement appropriate responses to sexual offending, considering the full utility of diversionary responses to reduce deeper levels of contact with the criminal justice system.

Limitations and future directions

There are three primary limitations with this study. Firstly, this study did not examine influences on police decision-making, such as attitudes toward diversion – particularly for cases of sexual offending – or case details (i.e. victim characteristics), which could have significant correlations with the type of police action taken. Rather, this study's focus was on the outcomes of these decisions and, thereby, the potential implications for people accused of sexual offences. Secondly, as more than 99% of diversionary responses were issued to young people, it was not possible to explore the utilisation of diversion when the person accused was an adult. Finally, this study did not take into account variables related to the systemic disadvantages faced by First Nations young people, which would yield greater insight into the disparity in police actions. This was beyond the scope of this paper.

Future research should build on the findings of this study and examine police decision-making through interviews and/or surveys of police officers, victim-survivors and people accused of sexual offences. It should also obtain additional data, such as case reports and indicators of disadvantage (e.g. socioeconomic status, education attainment and familial incarceration; Adams *et al.*, 2020), and consider a longer timeframe or cross-jurisdictional data to explore further influences on police actions, as well as the use of diversion for adults accused of sexual offending. Future research should also explore the impacts of these police responses, in terms of future offending patterns.

The authors stress that diversionary responses may not be appropriate in all cases of sexual offending. However, this too should be explored further through interviews with police, victim-survivors and perpetrators of sexual harm, to determine in which circumstances diversion should be utilised, and how. This would provide valuable understanding to better support police decision-making in cases of sexual offending and increase access to the potential benefits of diversion for both the person harmed and the person committing harm.

Conclusion

This study highlights trends in police responses to individuals accused of sexual offenses; demonstrating that the nature of the offence, as well as age, gender, and cultural heritage significantly influenced the likelihood of receiving a diversionary response. The findings reflect traditional views of diversion, showing that it was primarily reserved for use with young people and for minor or less severe offences. However, given the benefits of diversion, there is

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638

a strong case for expanding the scope of diversionary responses, where appropriate. Additionally, this study emphasises the gatekeeping role of police, particularly for young males and young people from Aboriginal and Torres Strait Islander backgrounds, who were more likely to be arrested than their non-Indigenous or female counterparts. While this may reflect systemic disadvantages, rather than individual officer bias, it reinforces the need for targeted reforms to ensure fair and equitable access to diversion. Future research should explore police decision-making and consider the long-term impacts of these responses. As the evidence for the use of diversion for sexual offending remains relatively limited, this study provides foundational knowledge and highlights the potential for more innovative and inclusive approaches to justice.

Table A1. Police action by gender and cultural heritage (2012–2021)

Gender		Police action			Cultural heritage	Police action			
		Diversion	Other	Total		Diversion	Other	Total	
2012	$(X^2(1, n = 796) = 110.21, p < 0.001, phi = 0.37)$				$(X^2(1, n = 796) = 27.98, p < 0.001, phi = -0.19)$				
Male	Count	324	276	600	Non-Indigenous	Count	416	184	600
	% within Gender	54.00%	46.00%	100.00%		% within Cultural Heritage	69.30%	30.70%	100.00%
	% within Police Action	63.40%	96.80%	75.40%		% within Police Action	81.40%	64.60%	75.40%
	Adjusted Residual	-10.5	10.5		Adjusted Residual	5.3	-5.3		
Female	Count	187	9	196	First Nations	Count	95	101	196
	% within Gender	95.40%	4.60%	100.00%		% within Cultural Heritage	48.50%	51.50%	100.00%
	% within Police Action	36.60%	3.20%	24.60%		% within Police Action	18.60%	35.40%	24.60%
	Adjusted Residual	10.5	-10.5		Adjusted Residual	-5.3	5.3		
Total	Count	511	285	796	Total	Count	511	285	796
	% within Gender	64.20%	35.80%	100.00%		% within Cultural Heritage	64.20%	35.80%	100.00%
2013	$(X^2(1, n = 989) = 62.64, p < 0.001, phi = 0.25)$				$(X^2(1, n = 989) = 75.96, p < 0.001, phi = -0.28)$				
Male	Count	533	234	767	Non-Indigenous	Count	655	154	809
	% within Gender	69.50%	30.50%	100.00%		% within Cultural Heritage	81.00%	19.00%	100.00%
	% within Police Action	71.50%	95.90%	77.60%		% within Police Action	87.90%	63.10%	81.80%
	Adjusted Residual	-7.9	7.9		Adjusted Residual	8.7	-8.7		
Female	Count	212	10	222	First Nations	Count	90	90	180
	% within Gender	95.50%	4.50%	100.00%		% within Cultural Heritage	50.00%	50.00%	100.00%
	% within Police Action	28.50%	4.10%	22.40%		% within Police Action	12.10%	36.90%	18.20%
	Adjusted Residual	7.9	-7.9		Adjusted Residual	-8.7	8.7		
Total	Count	745	244	989	Total	Count	745	244	989
	% within Gender	75.30%	24.70%	100.00%		% within Cultural Heritage	75.30%	24.70%	100.00%

(continued)

Table A1. Continued

	Gender	Police action			Cultural heritage	Police action				
		Diversion	Other	Total		Diversion	Other	Total		
2014	$(X^2(1, n = 1,552) = 175.18, p < 0.001, phi = 0.34)$				$(X^2(1, n = 1,552) = 20.75, p < 0.001, phi = -0.12)$					
	Male	Count	691	327	1018	Non-Indigenous	Count	1024	253	1277
		% within Gender	67.90%	32.10%	100.00%		% within Cultural Heritage	80.20%	19.80%	100.00%
		% within Police Action	57.10%	95.60%	65.60%		% within Police Action	84.60%	74.00%	82.30%
		Adjusted Residual	-13.2	13.2			Adjusted Residual	4.6	-4.6	
	Female	Count	519	15	534	First Nations	Count	186	89	275
		% within Gender	97.20%	2.80%	100.00%		% within Cultural Heritage	67.60%	32.40%	100.00%
		% within Police Action	42.90%	4.40%	34.40%		% within Police Action	15.40%	26.00%	17.70%
		Adjusted Residual	13.2	-13.2			Adjusted Residual	-4.6	4.6	
	Total	Count	1210	342	1552	Total	Count	1210	342	1552
		% within Gender	78.00%	22.00%	100.00%		% within Cultural Heritage	78.00%	22.00%	100.00%
2015	$(X^2(1, n = 1,396) = 149.19, p < 0.001, phi = 0.33)$				$(X^2(1, n = 1,396) = 66.21, p < 0.001, phi = -0.22)$					
	Male	Count	608	294	902	Non-Indigenous	Count	939	210	1149
		% within Gender	67.40%	32.60%	100.00%		% within Cultural Heritage	81.70%	18.30%	100.00%
		% within Police Action	56.20%	93.60%	64.60%		% within Police Action	86.80%	66.90%	82.30%
		Adjusted Residual	-12.2	12.2			Adjusted Residual	8.1	-8.1	
	Female	Count	474	20	494	First Nations	Count	143	104	247
		% within Gender	96.00%	4.00%	100.00%		% within Cultural Heritage	57.90%	42.10%	100.00%
		% within Police Action	43.80%	6.40%	35.40%		% within Police Action	13.20%	33.10%	17.70%
		Adjusted Residual	12.2	-12.2			Adjusted Residual	-8.1	8.1	
	Total	Count	1082	314	1396	Total	Count	1082	314	1396
		% within Gender	77.50%	22.50%	100.00%		% within Cultural Heritage	77.50%	22.50%	100.00%

(continued)

Table A1. Continued

Gender		Police action			Total	Police action			
		Diversion	Other	Total		Diversion	Other	Total	
2016	$(X^2(1, n = 1,466) = 127.48, p < 0.001, phi = 0.30)$				$(X^2(1, n = 1,466) = 52.74, p < 0.001, phi = -0.19)$				
Male	Count	658	273	931	Non-Indigenous	Count	1024	210	1234
	% within Gender	70.70%	29.30%	100.00%	% within Cultural Heritage	83.00%	17.00%	100.00%	
	% within Police Action	56.30%	91.60%	63.50%	% within Police Action	87.70%	70.50%	84.20%	
Female	Adjusted Residual	-11.3	11.3		Adjusted Residual	7.3	-7.3		
	Count	510	25	535	First Nations	Count	144	88	232
	% within Gender	95.30%	4.70%	100.00%	% within Cultural Heritage	62.10%	37.90%	100.00%	
Total	% within Police Action	43.70%	8.40%	36.50%	% within Police Action	12.30%	29.50%	15.80%	
	Adjusted Residual	11.3	-11.3		Adjusted Residual	-7.3	7.3		
	Count	1168	298	1466	Total	Count	1168	298	1466
2017	% within Gender	79.70%	20.30%	100.00%	% within Cultural Heritage	79.70%	20.30%	100.00%	
	$(X^2(1, n = 1,016) = 86.46, p < 0.001, phi =)$				$(X^2(1, n = 1,016) = 23.05, p < 0.001, phi = -0.15)$				
	Count	502	259	761	Non-Indigenous	Count	641	197	838
Male	% within Gender	66.00%	34.00%	100.00%	% within Cultural Heritage	76.50%	23.50%	100.00%	
	% within Police Action	67.30%	95.90%	74.90%	% within Police Action	85.90%	73.00%	82.50%	
	Adjusted Residual	-9.3	9.3		Adjusted Residual	4.8	-4.8		
Female	Count	244	11	255	First Nations	Count	105	73	178
	% within Gender	95.70%	4.30%	100.00%	% within Cultural Heritage	59.00%	41.00%	100.00%	
	% within Police Action	32.70%	4.10%	25.10%	% within Police Action	14.10%	27.00%	17.50%	
Total	Adjusted Residual	9.3	-9.3		Adjusted Residual	-4.8	4.8		
	Count	746	270	1016	Total	Count	746	270	1016
	% within Gender	73.40%	26.60%	100.00%	% within Cultural Heritage	73.40%	26.60%	100.00%	

(continued)

Table A1. Continued

Gender		Police action			Cultural heritage	Police action			
		Diversion	Other	Total		Diversion	Other	Total	
2018	$(X^2(1, n = 1,039) = 63.04, p < 0.001, phi = 0.25)$				$(X^2(1, n = 1,039) = 40.70, p < 0.001, phi = -0.20)$				
Male	Count	573	246	819	Non-Indigenous	Count	659	167	826
	% within Gender	70.00%	30.00%	100.00%	% within Cultural Heritage	79.80%	20.20%	100.00%	
	% within Police Action	73.10%	96.50%	78.80%	% within Police Action	84.10%	65.50%	79.50%	
	Adjusted Residual	-7.9	7.9		Adjusted Residual	6.4	-6.4		
Female	Count	211	9	220	First Nations	Count	125	88	213
	% within Gender	95.90%	4.10%	100.00%	% within Cultural Heritage	58.70%	41.30%	100.00%	
	% within Police Action	26.90%	3.50%	21.20%	% within Police Action	15.90%	34.50%	20.50%	
	Adjusted Residual	7.9	-7.9		Adjusted Residual	-6.4	6.4		
Total	Count	784	255	1039	Total	Count	784	255	1039
	% within Gender	75.50%	24.50%	100.00%	% within Cultural Heritage	75.50%	24.50%	100.00%	
2019	$(X^2(1, n = 1,027) = 47.95, p < 0.001, phi = 0.22)$				$(X^2(1, n = 1,027) = 29.63, p < 0.001, phi = -0.17)$				
Male	Count	632	189	821	Non-Indigenous	Count	716	134	850
	% within Gender	77.00%	23.00%	100.00%	% within Cultural Heritage	84.20%	15.80%	100.00%	
	% within Police Action	75.80%	97.90%	79.90%	% within Police Action	85.90%	69.40%	82.80%	
	Adjusted Residual	-6.9	6.9		Adjusted Residual	5.4	-5.4		
Female	Count	202	4	206	First Nations	Count	118	59	177
	% within Gender	98.10%	1.90%	100.00%	% within Cultural Heritage	66.70%	33.30%	100.00%	
	% within Police Action	24.20%	2.10%	20.10%	% within Police Action	14.10%	30.60%	17.20%	
	Adjusted Residual	6.9	-6.9		Adjusted Residual	-5.4	5.4		
Total	Count	834	193	1027	Total	Count	834	193	1027
	% within Gender	81.20%	18.80%	100.00%	% within Cultural Heritage	81.20%	18.80%	100.00%	

(continued)

Table A1. Continued

Gender		Police action			Cultural heritage	Police action			
		Diversion	Other	Total		Diversion	Other	Total	
2020	$(X^2(1, n = 1,118) = 67.55, p < 0.001, phi = 0.25)$				$(X^2(1, n = 1,118) = 25.10, p < 0.001, phi = -0.15)$				
Male	Count	642	185	827	Non-Indigenous	Count	768	126	894
	% within Gender	77.60%	22.40%	100.00%	% within Cultural Heritage	85.90%	14.10%	100.00%	
	% within Police Action	69.10%	97.90%	74.00%	% within Police Action	82.70%	66.70%	80.00%	
	Adjusted Residual	-8.2	8.2		Adjusted Residual	5	-5		
Female	Count	287	4	291	First Nations	Count	161	63	224
	% within Gender	98.60%	1.40%	100.00%	% within Cultural Heritage	71.90%	28.10%	100.00%	
	% within Police Action	30.90%	2.10%	26.00%	% within Police Action	17.30%	33.30%	20.00%	
	Adjusted Residual	8.2	-8.2		Adjusted Residual	-5	5		
Total	Count	929	189	1118	Total	Count	929	189	1118
	% within Gender	83.10%	16.90%	100.00%	% within Cultural Heritage	83.10%	16.90%	100.00%	
2021	$(X^2(1, n = 494) = 34.21, p < 0.001, phi = 0.26)$				$(X^2(1, n = 494) = 24.33, p < 0.001, phi = -0.22)$				
Male	Count	288	98	386	Non-Indigenous	Count	340	63	403
	% within Gender	74.60%	25.40%	100.00%	% within Cultural Heritage	84.40%	15.60%	100.00%	
	% within Police Action	72.70%	100.00%	78.10%	% within Police Action	85.90%	64.30%	81.60%	
	Adjusted Residual	-5.8	5.8		Adjusted Residual	4.9	-4.9		
Female	Count	108	0	108	First Nations	Count	56	35	91
	% within Gender	100.00%	0.00%	100.00%	% within Cultural Heritage	61.50%	38.50%	100.00%	
	% within Police Action	27.30%	0.00%	21.90%	% within Police Action	14.10%	35.70%	18.40%	
	Adjusted Residual	5.8	-5.8		Adjusted Residual	-4.9	4.9		
Total	Count	396	98	494	Total	Count	396	98	494
	% within Gender	80.20%	19.80%	100.00%	% within Cultural Heritage	80.20%	19.80%	100.00%	

(continued)

Table A1. Continued

	Cultural heritage (males only)			Police action			Cultural heritage (females only)			Police action		
		Count	% within Cultural Heritage	Diversion	Other	Total		Count	% within Cultural Heritage	Diversion	Other	Total
2012	$(\chi^2 (1, n = 600) = 10.49, p < 0.001, phi = 0.13)$						$(\chi^2 (1, n = 196) = 9.10, p = 0.003, phi = 0.22)$					
Non-Indigenous	Count	249		179		428	Non-Indigenous	Count	167	5		172
	% within Cultural Heritage	58.2%		41.8%		100.0%	% within Cultural Heritage	97.1%	2.9%			100.0%
	% within Police Action	76.9%		64.9%		71.3%	% within Police Action	89.3%	55.6%			87.8%
	Adjusted Residual	3.2		-3.2			Adjusted Residual	3.0	-3.0			
First Nations	Count	75		97		172	First Nations	Count	20	4		24
	% within Cultural Heritage	43.6%		56.4%		100.0%	% within Cultural Heritage	83.3%	16.7%			100.0%
	% within Police Action	23.1%		35.1%		28.7%	% within Police Action	10.7%	44.4%			12.2%
	Adjusted Residual	-3.2		3.2			Adjusted Residual	-3.0	3.0			
Total	Count	324		276		600	Total	Count	187	9		196
	% within Cultural Heritage	54.0%		46.0%		100.0%	% within Cultural Heritage	95.4%	4.6%			100.0%

(continued)

Table A1. Continued

	Cultural heritage (males only)				Cultural heritage (females only)				
		Police action Diversion	Other	Total		Police action Diversion	Other	Total	
2013	$(\chi^2 (1, n = 767) = 60.75, p < 0.001, phi = 0.28)$				$(\chi^2 (1, n = 222) = 1.05, p = 0.306, phi = 0.07)$				
Non-Indigenous	Count	464	146	610	Non-Indigenous	Count	191	8	199
	% within Cultural Heritage	76.1%	23.9%	100.0%		% within Cultural Heritage	96.0%	4.0%	100.0%
	% within Police Action	87.1%	62.4%	79.5%		% within Police Action	90.1%	80.0%	89.6%
	Adjusted Residual	7.8	-7.8			Adjusted Residual	1.0	-1.0	
First Nations	Count	69	88	157	First Nations	Count	21	2	23
	% within Cultural Heritage	43.9%	56.1%	100.0%		% within Cultural Heritage	91.3%	8.7%	100.0%
	% within Police Action	12.9%	37.6%	20.5%		% within Police Action	9.9%	20.0%	10.4%
	Adjusted Residual	-7.8	7.8			Adjusted Residual	-1.0	1.0	
Total	Count	533	234	767	Total	Count	212	10	222
	% within Cultural Heritage	69.5%	30.5%	100.0%		% within Cultural Heritage	95.5%	4.5%	100.0%

(continued)

Table A1. Continued

		Police action					Police action		
Cultural heritage (males only)		Diversion	Other	Total	Cultural heritage (females only)		Diversion	Other	Total
2014	$(\chi^2 (1, n = 1,019) = 11.54, p < 0.001, phi = 0.11)$				$(\chi^2 (1, n = 534) = 2.21, p = 0.137, phi = 0.06)$				
Non-Indigenous	Count	575	242	817	Non-Indigenous	Count	450	11	461
	% within Cultural Heritage	70.4%	29.6%	100.0%	% within Cultural Heritage	97.6%	2.4%	100.0%	
	% within Police Action	83.1%	74.0%	80.2%	% within Police Action	86.7%	73.3%	86.3%	
	Adjusted Residual	3.4	-3.4		Adjusted Residual	1.5	-1.5		
First Nations	Count	117	85	202	First Nations	Count	69	4	73
	% within Cultural Heritage	57.9%	42.1%	100.0%	% within Cultural Heritage	94.5%	5.5%	100.0%	
	% within Police Action	16.9%	26.0%	19.8%	% within Police Action	13.3%	26.7%	13.7%	
	Adjusted Residual	-3.4	3.4		Adjusted Residual	-1.5	1.5		
Total	Count	692	327	1019	Total	Count	519	15	534
	% within Cultural Heritage	67.9%	32.1%	100.0%	% within Cultural Heritage	97.2%	2.8%	100.0%	

(continued)

Table A1. Continued

	Cultural heritage (males only)		Police action		Total	Cultural heritage (females only)		Police action		Total
	Count	% within Cultural Heritage	Diversion	Other		Count	% within Cultural Heritage	Diversion	Other	
2015	$(\chi^2 (1, n = 902) = 42.64, p < 0.001, phi = 0.22)$					$(\chi^2 (1, n = 494) = 0.40, p = 0.529, phi = 0.03)$				
Non-Indigenous	Count		515	193	708	Non-Indigenous	Count	424	17	441
	% within Cultural Heritage		72.7%	27.3%	100.0%		% within Cultural Heritage	96.1%	3.9%	100.0%
	% within Police Action		84.7%	65.6%	78.5%		% within Police Action	89.5%	85.0%	89.3%
	Adjusted Residual		6.5	-6.5			Adjusted Residual	0.6	-0.6	
First Nations	Count		93	101	194	First Nations	Count	50	3	53
	% within Cultural Heritage		47.9%	52.1%	100.0%		% within Cultural Heritage	94.3%	5.7%	100.0%
	% within Police Action		15.3%	34.4%	21.5%		% within Police Action	10.5%	15.0%	10.7%
	Adjusted Residual		-6.5	6.5			Adjusted Residual	-0.6	0.6	
Total	Count		608	294	902	Total	Count	474	20	494
	% within Cultural Heritage		67.4%	32.6%	100.0%		% within Cultural Heritage	96.0%	4.0%	100.0%

(continued)

Table A1. Continued

	Cultural heritage (males only)			Police action		Total	Cultural heritage (females only)			Police action		Total
		Count	% within Cultural Heritage	Diversion	Other			Count	% within Cultural Heritage	Diversion	Other	
2016	$(X^2 (1, n = 931) = 34.12, p < 0.001, phi = 0.19)$						$(X^2 (1, n = 535) = 12.82, p < 0.001, phi = 0.16)$					
	Non-Indigenous	Count		573	194	767	Non-Indigenous	Count		451	16	467
		% within Cultural Heritage		74.7%	25.3%	100.0%		% within Cultural Heritage		96.6%	3.4%	100.0%
		% within Police Action		87.1%	71.1%	82.4%		% within Police Action		88.4%	64.0%	87.3%
		Adjusted Residual		5.8	-5.8			Adjusted Residual		3.6	-3.6	
	First Nations	Count		85	79	164	First Nations	Count		59	9	68
		% within Cultural Heritage		51.8%	48.2%	100.0%		% within Cultural Heritage		86.8%	13.2%	100.0%
		% within Police Action		12.9%	28.9%	17.6%		% within Police Action		11.6%	36.0%	12.7%
		Adjusted Residual		-5.8	5.8			Adjusted Residual		-3.6	3.6	
	Total	Count		658	273	931	Total	Count		510	25	535
		% within Cultural Heritage		70.7%	29.3%	100.0%		% within Cultural Heritage		95.3%	4.7%	100.0%

(continued)

Table A1. Continued

	Cultural heritage (males only)		Police action		Total	Cultural heritage (females only)		Police action		Total
	Count	% within Cultural Heritage	Diversion	Other		Count	% within Cultural Heritage	Diversion	Other	
2017	$(X^2(1, n = 761) = 26.72, p < 0.001, phi = 0.19)$					$(X^2(1, n = 255) = 2.14, p = 0.144, phi = -0.09)$				
Non-Indigenous	Count		437	186	623	Non-Indigenous	Count	204	11	215
	% within Cultural Heritage	70.1%	29.9%	100.0%		% within Cultural Heritage	94.9%	5.1%	100.0%	
	% within Police Action	87.1%	71.8%	81.9%		% within Police Action	83.6%	100.0%	84.3%	
	Adjusted Residual	5.2	-5.2			Adjusted Residual	-1.5	1.5		
First Nations	Count		65	73	138	First Nations	Count	40	0	40
	% within Cultural Heritage	47.1%	52.9%	100.0%		% within Cultural Heritage	100.0%	0.0%	100.0%	
	% within Police Action	12.9%	28.2%	18.1%		% within Police Action	16.4%	0.0%	15.7%	
	Adjusted Residual	-5.2	5.2			Adjusted Residual	1.5	-1.5		
Total	Count		502	259	761	Total	Count	244	11	255
	% within Cultural Heritage	66.0%	34.0%	100.0%		% within Cultural Heritage	95.7%	4.3%	100.0%	

(continued)

Table A1. Continued

	Cultural heritage (males only)		Police action		Total	Cultural heritage (females only)		Police action		Total
			Diversion	Other		Diversion	Other			
2018	$(\chi^2 (1, n = 819) = 38.06, p < 0.001, phi = 0.22)$				$(\chi^2 (1, n = 220) = 1.45, p = 0.229, phi = 0.08)$					
Non-Indigenous	Count	485	161	646	Non-Indigenous	Count	174	6	180	
	% within Cultural Heritage	75.1%	24.9%	100.0%		% within Cultural Heritage	96.7%	3.3%	100.0%	
	% within Police Action	84.6%	65.4%	78.9%		% within Police Action	82.5%	66.7%	81.8%	
	Adjusted Residual	6.2	-6.2			Adjusted Residual	1.2	-1.2		
First Nations	Count	88	85	173	First Nations	Count	37	3	40	
	% within Cultural Heritage	50.9%	49.1%	100.0%		% within Cultural Heritage	92.5%	7.5%	100.0%	
	% within Police Action	15.4%	34.6%	21.1%		% within Police Action	17.5%	33.3%	18.2%	
	Adjusted Residual	-6.2	6.2			Adjusted Residual	-1.2	1.2		
Total	Count	573	246	819	Total	Count	211	9	220	
	% within Cultural Heritage	70.0%	30.0%	100.0%		% within Cultural Heritage	95.9%	4.1%	100.0%	

(continued)

Table A1. Continued

	Cultural heritage (males only)		Police action		Total	Cultural heritage (females only)		Police action		Total
	Count	% within Cultural Heritage	Diversion	Other		Count	% within Cultural Heritage	Diversion	Other	
2019	$(X^2(1, n = 821) = 19.86, p < 0.001, phi = 0.16)$					$(X^2(1, n = 1,027) = 29.63, p < 0.001, phi = 0.19)$				
Non-Indigenous	Count		533	132	665	Count		183	2	185
	% within Cultural Heritage		80.2%	19.8%	100.0%	% within Cultural Heritage		98.9%	1.1%	100.0%
	% within Police Action		84.3%	69.8%	81.0%	% within Police Action		90.6%	50.0%	89.8%
	Adjusted Residual		4.5	-4.5		Adjusted Residual		2.7	-2.7	
First Nations	Count		99	57	156	Count		19	2	21
	% within Cultural Heritage		63.5%	36.5%	100.0%	% within Cultural Heritage		90.5%	9.5%	100.0%
	% within Police Action		15.7%	30.2%	19.0%	% within Police Action		9.4%	50.0%	10.2%
	Adjusted Residual		-4.5	4.5		Adjusted Residual		-2.7	2.7	
Total	Count		632	189	821	Count		202	4	206
	% within Cultural Heritage		77.0%	23.0%	100.0%	% within Cultural Heritage		98.1%	1.9%	100.0%

(continued)

Table A1. Continued

	Cultural heritage (males only)			Police action			Cultural heritage (females only)			Police action			
		Diversion	Other	Total		Diversion	Other	Total		Diversion	Other	Total	
2020	$(\chi^2 (1, n = 827) = 23.59, p < 0.001, phi = 0.17)$						$(\chi^2 (1, n = 206) = 7.06, p = 0.008, phi = 0.09)$						
Non-Indigenous	Count	535	124	659	Non-Indigenous	Count	233	2	235	% within Cultural Heritage	99.1%	0.9%	100.0%
	% within Cultural Heritage	81.2%	18.8%	100.0%		% within Police Action	81.2%	50.0%	80.8%	% within Police Action	81.2%	50.0%	80.8%
	Adjusted Residual	4.9	-4.9			Adjusted Residual	1.6	-1.6		Adjusted Residual	1.6	-1.6	
First Nations	Count	107	61	168	First Nations	Count	54	2	56	% within Cultural Heritage	96.4%	3.6%	100.0%
	% within Cultural Heritage	63.7%	36.3%	100.0%		% within Police Action	18.8%	50.0%	19.2%	% within Police Action	18.8%	50.0%	19.2%
	Adjusted Residual	-4.9	4.9			Adjusted Residual	-1.6	1.6		Adjusted Residual	-1.6	1.6	
Total	Count	642	185	827	Total	Count	287	4	291	% within Cultural Heritage	98.6%	1.4%	100.0%
	% within Cultural Heritage	77.6%	22.4%	100.0%		% within Cultural Heritage	98.6%	1.4%	100.0%				

(continued)

Table A1. Continued

	Cultural heritage (males only)		Police action		Total	Cultural heritage (females only)		Police action		Total
	Count	% within Cultural Heritage	Diversion	Other		Count	% within Cultural Heritage	Diversion	Other	
2021	<i>(X^2 (1, n = 386) = 14.34, p < 0.001, phi = 0.19)</i>									
Non-Indigenous	Count		238	63	301	Non-Indigenous	Count	102	0	102
	% within Cultural Heritage		79.1%	20.9%	100.0%	% within Cultural Heritage	100.0%	–	–	100.0%
	% within Police Action		82.6%	64.3%	78.0%	% within Police Action	94.4%	–	–	94.4%
	Adjusted Residual		3.8	–3.8		Adjusted Residual	–	–	–	–
First Nations	Count		50	35	85	First Nations	Count	6	0	6
	% within Cultural Heritage		58.8%	41.2%	100.0%	% within Cultural Heritage	100.0%	–	–	100.0%
	% within Police Action		17.4%	35.7%	22.0%	% within Police Action	5.6%	–	–	5.6%
	Adjusted Residual		–3.8	3.8		Adjusted Residual	–	–	–	–
Total	Count		288	98	386	Total	Count	108	0	108
	% within Cultural Heritage		74.61%	25.39%	100.0%	% within Cultural Heritage	100.0%	–	–	100.0%

Note(s): Significant differences between groups are indicated in italic font (using adjusted standard residuals greater than 2)

Source(s): Authors' own work

Notes

1. Other included offender died; psychiatric committal; current imprisonment; offender bar to prosecution; dealt with by another agency (unknown); juvenile victim-survivor offences cannot be particularised; victim-survivor too young with no corroboration; juvenile victim-survivor offence not disclosed at interview; infringement notice issued; and offender not in public interest.
2. The study did not intend to focus solely on juveniles who have engaged with the justice system. However, the first of the bivariate analyses identified the limited sample size of adult perpetrators, which meant that further analyses were inappropriate and likely to produce a Type II error.

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