# Giving Women the Benefit of the Doubt? Examining Gender Differences in Schools' Management of Sexual Allegations Against Employees

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# Giving Women the Benefit of the Doubt? Examining Gender Differences in Schools' Management of Sexual Allegations Against Employees

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**ABSTRACT**

Comparing women's and men's sexual offending patterns in educational settings is a relatively recent empirical endeavor. Accordingly, gender-based examinations of schools' management of sexual allegations are lacking. We address this gap by drawing on a unique administrative da
taset from an Australian jurisdiction that captures alleged improper sexual conduct by educational employees. We compare 809 female- and male-perpetrated cases reported between 2015 and 2019 with respect to event, location, victim, and perpetrator characteristics, as well as the ensuing risk management strategies and sanctions. Compared to men, reported women were younger, employed on more secure employment arrangements, and less often had a relevant discipline history. Most alleged event characteristics did not significantly differ based on perpetrator gender. Women's alleged perpetration, however, more often occurred in places external to school and involved more serious sexual victimization of comparatively older male students. After controlling for event, victim, perpetrator, and allegation characteristics there was nearly no support for a gender bias in institutional responses. However, a lack of any action was more often observed in female-perpetrated cases under very specific and limited conditions. Resultant implications for the management and oversight of employee-related allegations are discussed.

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Educational settings are commonly implicated in contemporary cases of alleged adult-perpetrated child sexual abuse (CSA) (Bromfield et al., 2017; Jeglic et al., 2023). Empirical research about this topic in the Australian context, however, lags compared to sustained international efforts (e.g., Canadian Centre for Child Protection Inc, 2019; Christensen & Darling, 2020; Moulden et al., 2010; Ratliff & Watson, 2014). Australian knowledge about the problem is instead limited to the insights gleaned from the Royal Commission into Institutional Responses to CSA (Royal Commission , 2017). Contrary to much of the international literature, the Royal Commission for

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instance revealed most victims to be male and most abuse to occur within non-government schools. Though seminal, the Royal Commission's findings may not be representative of contemporary circumstances given their sampling strategy and predominant focus on male perpetration in historical – and often religious – contexts.

An emergent international development has been the increased recognition and depiction of women's perpetration in schools, which was an identified gap in the Royal Commission's program of research (Proeve et al., 2016). The nascent evidence base reveals some substantial overlap in the characteristics of female- and male-perpetrated cases (Christensen & Darling, 2020). These results beget questions about how educational institutions treat such cases if they are indeed largely similar at face value. Though women sexually offend less often than men, its impact is often minimized and dismissed due to pervasive gender biases and stereotypes (Denov, 2003; Russell & Gruys, 2022). Despite some recent positive progress away from earlier findings (e.g., Christensen, 2021), professionals like police and psychiatrists are not impervious to these prejudices (Bunting, 2007; Denov, 2001). School staff have also shown an increased tolerance for their female colleagues' inappropriate behavior (Darling & Hackett, 2020). Given schools' starkly inadequate responses to CSA (Royal Commission , 2017), it is reasonable to expect this professional "culture of denial" (Denov, 2001, p. 316) also extends to their management of alleged female-perpetrated CSA. This, however, remains untested.

We address these gaps by analyzing the patterns of sexual allegations reported by schools in an Australian jurisdiction between 2015 and 2019. We begin by comparing the case attributes of male- and female-perpetrated allegations. Gaining a sense of how cases are similar and different across the genders not only sheds valuable light on an under-studied topic but lays the foundation for understanding institutional management of such cases. Accordingly, we then explore the enacted institutional responses to those allegations – and in particular – whether gender bias influences these reactions. We do so by drawing on a novel administrative dataset derived from an employment-related child protection oversight scheme that monitors how organizations respond to and manage certain allegations against their staff. Findings will strengthen institutional management of allegations when they occur.

## Gender differences in offending profiles

### *Perpetrators*

Consistent with sexual offending generally, most adult CSA perpetrators in educational settings are men. This is especially apparent when CSA occurs in primary schools (Christensen & Darling, 2020; Ratliff & Watson, 2014).

Women also offend in schools, though in smaller numbers than men. Estimates vary – likely due to methodological differences – but women were implicated in between 13% and 26% of North American samples of abusive school personnel (Canadian Centre for Child Protection Inc, 2019; Ratliff & Watson, 2014). Victimization studies indicate a higher figure though, identifying female perpetrators in 43% of sexual misconduct cases in schools (Shakeshaft, 2004), suggesting that their perpetration is not insignificant. Irrespective of perpetrator gender, the majority are in teaching or assistant teaching roles (Canadian Centre for Child Protection Inc, 2019; Shakeshaft, 2004).

The age of detected perpetrators at the time of offending varies. For men in Western countries, the average age ranges from 34.5 to 42 years (e.g., Canadian Centre for Child Protection Inc, 2019; Christensen & Darling, 2020). The average age of women is slightly younger than men, ranging from 30 to 35 years (Canadian Centre for Child Protection Inc, 2019; Christensen & Darling, 2020; Steely & Ten Bensel, 2020).

Few perpetrators in contemporary schools have official criminal histories. For instance, there were no prior convictions (sexual or otherwise) recorded for 40 abusive male and female U.K. teachers (Christensen & Darling, 2020). Three of the 35 women in a U.S. study had a prior arrest, but their nature (sexual or otherwise) was not stipulated (Steely & Ten Bensel, 2020). A history of workplace sexual misconduct is more common though. In a noncriminal sample, 35% of the 20 men had been previously issued with a warning by an employer about their behavior toward students (Christensen & Darling, 2020). None of the 20 women had received the same warning. However, 63% of a female criminal sample ($N = 35$) had prior sexual misconduct allegations (Steely & Ten Bensel, 2020), indicating persistent wrongdoing and failure to manage appropriate professional boundaries.

### *Types of incidents*

A diverse range of sexual acts is reflected in international literature, but most cases of employee-perpetrated CSA involve some type of physical contact (Canadian Centre for Child Protection Inc, 2019). Contact typically involves acts besides intercourse like fondling, kissing, and fellatio. Physical violence and coercion are rare (Jaffe et al., 2013; Moulden et al., 2010). Men engage in penetrative contact (Christensen & Darling, 2020) and child sexual exploitation material offenses (Canadian Centre for Child Protection Inc, 2019) more often than women. Nonetheless, women do commit serious contact sexual offenses (Steely & Ten Bensel, 2020). Male educators more often perpetrate one-off incidents than females (Christensen & Darling, 2020).

CSA within educational contexts is not limited to occurring on school premises. Two Canadian studies have found that about half of cases occur

on school grounds or in places related to school operations (e.g., excursions, extracurricular activities) (Canadian Centre for Child Protection Inc, 2019; Jaffe et al., 2013). The other half involve incidents at locations like the perpetrator or victim's car or residence, virtual environments, and community-based places (e.g., parks, hotels). Of an equal sample of men and women ($N = 20$ respectively), most engaged in conduct external to school, but more women (80%) than men (55%) acted solely outside of the school setting (Christensen & Darling, 2020).

Incidents typically involve one victim though there is some variation. Between half and three-quarters of male perpetrators offend against one victim (Canadian Centre for Child Protection Inc, 2019; Jaffe et al., 2013; Moulden et al., 2010), though this has been reported to be as high as 90% (Christensen & Darling, 2020). Women typically victimize one rather than multiple victims (Canadian Centre for Child Protection Inc, 2019; Christensen & Darling, 2020).

### *Victims*

Female students are at more risk than male students of sexual victimization by school employees (Canadian Centre for Child Protection Inc, 2019; Jaffe et al., 2013; Shakeshaft, 2004). Nonetheless, boys continue to represent a considerable proportion of victims in contemporary educational contexts, ranging from 23–46% in North American studies (Jaffe et al., 2013; Moulden et al., 2010; Shakeshaft, 2004). Christensen and Darling (2020) found that victims were usually of the opposite sex to their perpetrating teacher. However, more female than male teachers abused same-sex victims (24% vs. 5%). This pattern of victimization was not apparent in Steely and Ten Bensel's (2020) study where 94% of female teachers' victims were male, though this may be an artifact of their criminal sample.

Studies consistently report that most CSA occurs in secondary rather than primary school settings where adolescents mostly attend. Some report early- to mid-adolescence (approximately 11–14 years) as the riskiest developmental period for victimization (Jaffe et al., 2013; Moulden et al., 2010), but others implicate mid- to late adolescence (approximately 14–17 years) (Canadian Centre for Child Protection Inc, 2019; Christensen & Darling, 2020; Steely & Ten Bensel, 2020). Women especially tend to victimize older adolescents.

## Institutional responses

Government inquiries scrutinizing schools' responses to CSA allegations have concluded they were systematically lacking and inadequate (e.g., Independent Inquiry into Child Sexual Abuse, 2022; Royal Commission , 2017). For instance, allegations were often minimized, dismissed, or ignored such that

institutional inaction was common, thereby facilitating CSA. Such observations are not limited to historical nor faith-based contexts. Analysis of various institutions' responses to more recent cases echoed similar themes despite their contemporary safeguarding landscape (Brown et al., 2022). Extant examinations have, however, overlooked whether a perpetrator's gender influences responses to allegations in educational contexts.

Research shows that female-perpetrated CSA is often deemed less harmful than male perpetration because of powerful gender biases and stereotypes (Denov, 2003; Russell & Gruys, 2022). This extends to professionals whose roles involve responding to alleged CSA by women. Those employed in child protection contexts have been found to minimize female perpetration leading to more lenient intervention and risk management approaches compared to male-perpetrated cases (Bunting, 2007; Hetherton & Beardsall, 1998). There is some evidence that professionals' attitudes and perceptions have improved over time, but broad concerns about their gender-biased decision-making remain (Christensen, 2021).

Against the backdrop of institutional failures in managing CSA allegations, coupled with evidence of professionals' biases in assessments of sexual offending, it is opportune to examine schools' responses to contemporary CSA allegations against male and female staff. The regulatory landscape of Australian schools has also become more stringent since many of the Royal Commission's (2017) cases occurred. For example, external oversight bodies now monitor how organizations – including government and non-government schools – respond to and manage certain allegations against employees in five Australian jurisdictions (New South Wales, Victoria, Australian Capital Territory, Western Australia, and Tasmania). Such independent scrutiny has obvious implications for the risk management approaches adopted and necessitates consideration in understanding schools' responses to contemporary cases. It is within this regulatory context that our data are derived.

## Present study

A few studies have directly compared various characteristics of cases perpetrated by male and female educational employees in the U.K and North America (Canadian Centre for Child Protection Inc, 2019; Christensen & Darling, 2020; Ratliff & Watson, 2014). Ours is the first in an Australian context. Moreover, none have compared institutional responses based on the perpetrator's gender. Our exploratory study applies a quantitative lens to gain broad insights into the nature of employee-perpetrated CSA allegations in Australian educational settings and their ensuing risk management. Contextualizing the modus operandi of alleged male and female perpetrators as a first step affords a more nuanced understanding of the subsequent

management of cases. We therefore seek to answer the following research questions:

(1) What are the similarities and differences in the case characteristics of alleged female- and male-perpetrated CSA in Australian educational settings?
(2) Is there a gender bias in the subsequently enacted institutional responses beyond what can be accounted for by case and other perpetrator characteristics?

We employ a cross-sectional design based on administrative data generated by the New South Wales (NSW) "reportable conduct" scheme, a noncriminal, employment-related, child protection oversight initiative (explained further below). We therefore include a broad range of potentially problematic sexual behaviors, not all of which reach a criminal threshold.

## Method

### *Data source and sample*

The NSW "reportable conduct" scheme ("the Scheme") is a statutory framework for monitoring how organizations respond to certain alleged conduct by their staff involving children (under 18 years). It compels a range of child-serving organizations – including government and non-government educational institutions – to report the allegations to an external oversight body and investigate them. The types of alleged conduct captured by the Scheme vary but can be classified as sexual and non-sexual (e.g., physical assault, ill-treatment). Allegations can be received in any form (e.g., rumor, anonymous report) and no statute of limitations applies. Because the oversight role includes scrutinizing institutions' systems and responses, the Scheme is an allegations-based system to ensure transparency of decision-making. The Scheme's oversight and scrutiny function extends equally across the education sector to encompass government, Catholic, and independent/private schools.

At the time of data collection, the Office of the NSW Ombudsman (NSWO) administered the Scheme. Definitions adopted in this study therefore align with the previous (NSWO) rather than current Office of the Children Guardian's (OCG) legislation. Moreover, this study's results and conclusions may not apply to the OCG's more recent data. For further details see also Robertson (2023) and Robertson et al. (2024).

Numerous variables routinely extracted from information provided by reporting organizations were recorded in an electronic database. Initial reporting information included demographic details of involved parties, a description of the alleged incident/s, the investigative procedure, and

initial risk management. Final reporting requirements included the provision of a copy of the entire investigation file and information like the outcome of the investigation, elements of the investigative procedure, and any final actions undertaken. Data about both employees' alleged conduct and institutional responses and decision-making were thus recorded.

A "case" reflects a notification about one employee and could therefore include multiple allegations. The most serious allegation constituted the primary allegation, and all other (and less severe) allegations were recorded as secondary allegations. Cases were finalized when the NSWO provided feedback about the handling of the allegation and its investigation to reporting organizations at the conclusion of their investigations.

A de-identified quantitative dataset meeting the following criteria was extracted from the NSWO database: (a) *educational institutions* included government and non-government (Catholic and independent) schools and providers of Technical and Further Education (TAFE; TAFEs offer a variety of alternative educational and vocational pathways for some people under 18 years old); (b) *adolescent alleged victims* aged 13–17 years inclusive; (c) *sexual-related notifications* with a primary allegation of "sexual offense" or "sexual misconduct" about an employee over the age of 18. The notification must be about "work-related alleged conduct" involving an alleged victim who is either a student or a child the employee had access to through their employment with the reporting organization (i.e., a school or TAFE). Therefore, conduct unrelated to the employee's role (e.g., intrafamilial CSA) and sexual offenses involving the online accessing or downloading of child abuse material were excluded; (d) *inclusionary period* where the notification was received and closed (finalized) by the NSWO between 1 January 2015 and 31 December 2019.

A total of 809 cases met the inclusionary criteria and constitute the entire sample. Cases included information about the following types of characteristics: (a) *events*; (b) *site locations*; (c) *victims*; (d) *perpetrators*; (e) *sources of allegations* and (f) *initial and final action* undertaken by the reporting organization.

All variables in the dataset were categorical, including for both alleged victim and perpetrator age. Privacy and confidentiality considerations resulted in the availability of only highly aggregated information for some variables, and complete unavailability for others. For instance, the particulars of behaviors constituting the overarching categories of sexual misconduct and sexual offense were not released. Details of reporting organizations (i.e., government or non-government school) were not provided, though the data custodian advised that limited cases related to TAFEs.

## Variables

### Case characteristics

***Perpetrator characteristics.*** *Gender* was coded as female, male, and transgender. The one case involving an employee identifying as transgender was excluded from gender related comparative analysis. *Age* was coded into three groups: ≤ 30, 31–50, and 51+ years. *Role* (i.e., professional duties) was recorded in 14 ways by NSWO (see Appendix for full list). We regrouped these into four categories based on core role, nature of engagement with students, and professional status: (a) teachers or teacher's aides; (b) executive staff (i.e., Principals and Deputy Principals); (c) other professionals (like clergy, youth workers, coaches, and administrative staff); and (d) ancillary staff (such as drivers, maintenance staff, IT workers, and volunteers). NSWO originally recorded *employment status* in 10 ways capturing different types of employment arrangements including temporary and permanent demarcations. These were ultimately collapsed into three categories: (a) full-time employment (regardless of permanency); (b) part-time or casual employment (regardless of permanency); and (c) "other" employment (e.g., contractors, volunteers, and student placements). *Discipline history* was a binary variable reflecting whether the reported employee had previously received a warning or direction about behavior relevant to the current allegation.

***Event characteristics.*** *Incident severity* was coded as the NSWO's two sexual-related categories of alleged conduct: "sexual offense" and "sexual misconduct." "Sexual offense" described criminal offenses involving a sexual element and "committed against, with or in the presence of a child." This category captured behaviors like indecent assault/sexual touching, sexual assault, or acts of indecency/sexual acts. The sexual abuse of adolescents up to the age of 18 by people in positions of authority (e.g., teachers and principals) is criminalized in NSW. "Sexual misconduct" included: (a) crossing professional boundaries; (b) sexually explicit comments and other overtly sexual behavior; or (c) grooming behavior "committed against, with or in the presence of a child." The NSWO defined "crossing professional boundaries" as "behavior that can reasonably be construed as involving an inappropriate and overly personal or intimate relationship with, conduct towards, or focus on a child or young person, or group of children or young persons." Accordingly, the "sexual misconduct" category may have captured alleged conduct that was not explicitly sexual. "Sexual offense" allegations were deemed more serious than "sexual misconduct" and were therefore recorded as the primary allegation if both categories were reported. The onus of assessing and classifying the allegation category falls to the reporting organization. It is possible that they erroneously assessed "sexual offense" matters as "sexual misconduct" if the matter did not proceed criminally. Therefore, "sexual misconduct" cases in

this sample may also in fact comprise more serious sexual behavior. Nevertheless, this variable is generally useful in distinguishing between more serious, high-level sexual behaviors and lower-level behaviors that may not yet be overtly sexual.

The *number of victims* reported to be involved in an allegation and *number of occasions* that alleged incidents occurred were coded as binary "one" or "multiple."

NSWO originally recorded 11 known *incident locations* (see Appendix for full list). We coded these into six dummy variables including: (a) school premises (e.g., classrooms, toilets, ovals, improper use of school email account); (b) extracurricular school activities (e.g., sports, camps, excursions); (c) social media platforms; (d) public places (e.g., cinemas, cafes); (e) private/semi-private places (e.g., transport, residences, hotels, secluded beaches or parks, improper use of private telephones); and (f) a combination of social media and private/semi-private places. This final response option was designed to capture "intimate" places (both virtual and non-virtual) occurring out of view of others.

***Victim characteristics.*** *Gender* was coded as binary female or male. *Age* was retained as in the original dataset in two groups: 13–15 and 16–18. NSWO recording practices determined these age groups and reflect what was in the provided dataset. Consistent with the Scheme's definitions, the 16–18 group captures alleged victims *up to* but *under* the age of 18.

***Sources of allegations.*** The original dataset included 22 discrete categories (excluding "unknown") to record the sources of allegations. We coded this data to capture both (a) how allegation information arose and became known to the school (e.g., victim disclosure to a third party; direct conversation by a third party; indirect pathways like rumors) and, if via a person, (b) description of the reporter (e.g., personnel, family, friends). For further details please see Robertson (2023) and Robertson et al. (2024).

### *Institutional responses*

Institutional responses are divided into three parts reflecting the sequencing of the investigative process. Outlined first are the *initial responses* undertaken upon commencement and throughout an investigation, followed by the *investigation finding* made at the conclusion of an investigation, and then the subsequent *final actions* undertaken.

***Initial action.*** This variable captures action undertaken upon receipt of the allegation and during an investigation prior to its completion (e.g., if new and/or updated information is received necessitating additional risk management strategies). Besides notifying the NSWO, agencies are responsible for

implementing interim strategies designed to manage potential risk to key stakeholders including children, the employee, the investigation's integrity, and the institution. These strategies vary, are proportionate to individual factors on a case-by-case basis and reflect an ongoing process until investigation completion. See https://ocg.nsw.gov.au/sites/default/files/2022–02/fs_rc_risk_management_following_allegation.pdf for further information. Investigations proceed to the finding stage even if no initial action is taken.

The original dataset comprised 13 active and particularized initial response types facilitating assessment of severity (see Appendix for full list) plus an additional describing agency inaction (i.e., no initial action undertaken). The "no initial action" variable remained as a standalone dichotomous response. The 13 active, particularized types of responses were grouped to form five different response categories coded as dummy variables. They were grouped according to nature and severity of action as follows: (a) remedial (e.g., increasing supervision/monitoring, training for workforce); (b) low-level risk management (e.g., transferring employee, restricting their duties, or other strategy to minimize employee-victim contact); (c) low-level disciplinary (e.g., issuing of warnings or formal directions); (d) medium-level disciplinary (e.g., suspending employee with or without pay); and (e) high-level disciplinary (e.g., allowing resignation, not re-engaging a casual employee, dismissal, placing them on a "not to be employed" list). For the oversight body's operational purposes, "disciplinary" refers to response type only *after* sustained wrongdoing (i.e., only at the final investigation stage). We use "disciplinary" in a conceptual sense for scientific research purposes (referring to more serious types of responses that have characteristics of disciplinary action), even at the initial response stage.

***Investigation finding.*** Findings made at the conclusion of the investigation were coded as either sustained or not sustained. A "sustained" finding indicated that (a) the alleged conduct occurred, on the balance of probabilities and with consideration to the consequences of a sustained finding for a serious allegation, and (b) in the context of all information gathered, the established conduct met the definition for "sexual offense" or "sexual misconduct." NSWO provided multiple options describing the underlying rationale for "not sustained" findings (e.g., insufficient evidence, lack of evidence of weight). However, no further data were provided to elaborate on the reasons for non-substantiated cases in this sample. Essentially, a "not sustained" finding means that the investigation either: (a) did not establish that the alleged conduct occurred, on the balance of probabilities (based on the available evidence); *or* (b) reasonably established that it did occur but that it did not meet the definition of "sexual offense" or "sexual misconduct" in the context of all evidence gathered. In this latter scenario, agencies can still implement disciplinary action against an employee as the conduct may have breached

policies, for example, despite not amounting to reportable conduct. Importantly, a "not sustained" finding does not necessarily equate to an unequivocal finding that the alleged conduct did *not* occur; it might, for instance, represent deficiencies in the available evidence.

***Final action.*** After finalizing the investigation finding, disciplinary or remedial action can be implemented to mitigate ongoing risk. As mentioned, this is not restricted to sustained cases only and can be implemented even in the absence of initial action. NSWO originally recorded 16 active and particularized types of final action that allowed assessment of severity (see Appendix for full list) plus an additional describing agency inaction (i.e., no final action undertaken). The "no final action" variable remained as a dichotomous standalone response. The 16 active, particularized types of final action were grouped to form five different response categories coded as dummy variables. They were classified based on severity of action and irrespective of whether the action was in response to sustained on non-sustained findings. These response types largely align with initial action groupings but lack medium-level disciplinary action and instead involve a combined response type as follows: (a) remedial (e.g., increased supervision or monitoring, supporting or counseling employee, training); (b) low-level risk management (e.g., restricting/changing employee's duties and transfers); (c) low-level disciplinary (e.g., issuing a warning, fining, delaying promotion or demoting); (d) low-level risk management combined with low-level disciplinary (combining (b) and (c)); and (e) high-level disciplinary (e.g., allowing resignation, dismissal, placing them on a "not to be employed" list).

There are some noteworthy qualifications about these variables. As is common with administrative datasets, our data only capture reported alleged incidents. We included both sustained and unsustained allegations in our analysis. Tests showed that most case characteristics did not differ significantly between sustained or unsustained cases. Analyzing allegations is also common in CSA research (Bromfield et al., 2017; Canadian Centre for Child Protection Inc, 2019). The term "alleged" is often omitted for readability throughout this article, though this does not denote perceived or determined guilt in any way. References to perpetrator, event, location, and victim characteristics should be understood as being allegations-based.

The nature of the Scheme and the resulting data suggest several specific caveats. Only the primary, most serious alleged incident was recorded in the dataset, and all secondary less serious incidents are excluded. The data custodian could not provide information on the distribution of primary and secondary incidents. Accordingly, the proportion of cases with more than one allegation in this dataset is unknown. However, it can be assumed that institutional reactions are typically geared toward the most serious (primary) allegation. Some variables were recorded both for primary and secondary

allegations, including site locations, number of victims, number of occasions, initial actions, and final actions. Therefore, in cases with multiple allegations, these characteristics may also relate to the lesser, secondary allegations against an employee notified to NSWO that are not captured in this dataset. However, the results firmly establish their relationship to perpetrator gender.

Table A1 presents descriptive statistics for the study's variables. Missing data or entries recorded as "unknown" account for considerable differences between the included base populations and the entire sample ($N = 809$). Of cases with valid data about the timeframe of alleged conduct ($N = 641$), 82.5% involved incidents occurring in the 12 months preceding the report. This dataset therefore predominantly captures relatively contemporary incidents occurring between 2014 and 2019.

A cleaned and prepared Excel file was imported into SPSS (version 26) for analysis. All variables were categorical, so a series of chi-square analyses were conducted, and a significance level of .05 was applied. Interpreted results only relate to groups (cells) whose variance contributed to significance as indicated by adjusted standardized residuals exceeding ± 2 (Pallant, 2020).

## Results

### *Gender differences: perpetrator profiles, events, victims, and allegation sources*

Women were closer in age to their victims at the time of alleged perpetration, while a greater age disparity between men and their alleged victims existed ($p < .001$; CV = .21). Namely, reported women were more likely than men to be aged under 30 (35.9% vs. 23%) or 31–50 years (51.1% vs. 42.2%). Men, on the other hand, were more often than women to be aged above 51 years (34.8% vs. 13%). Reported men were three times more likely (9.6% vs. 3.2%) than women to be engaged on "other" types of employment arrangements (e.g., contractors, volunteers; $p = .033$; CV = .10). They might have therefore spent more time on the periphery of core personnel compared to reported women. This postulation is supported by the tendency for reported men to more often occupy "other professional" (e.g., clergy, youth workers, coaches) or "ancillary" (e.g., drivers, maintenance staff, IT workers) roles ($p = .058$). Reported men were also more likely than women to have a history of corrective disciplinary action within the school setting (36.3% vs. 24.1%; $p = .036$; *phi* = .10). This may reflect genuine risk level in that men display a prior pattern of behavior that renders them a known risk. It may, however, be indicative of increased willingness of employers to formally discipline men for sexualized behaviors than women.

Importantly, there were no significant differences in the severity of incidents allegedly perpetrated by men and women (sexual misconduct or offense). No significant gender differences were found for other event characteristics, including number of victims and occasions (both sole vs. multiple).

Collectively, these non-significant findings suggest that all reported employees – regardless of gender – had a comparable event profile whereby they exhibited similar conduct captured by these criteria.

Though associations were weak, women seemed more willing than men to go beyond the regular opportunity structures afforded by schooling life for contact and access with children by engaging in interactions external to the schooling environment. This is evidenced by women's alleged conduct occurring significantly more often than men's at public (e.g., parks; 17.7% vs. 8%) and private places, with the latter as both a standalone location (e.g., residences; 38.1% vs. 27%) and when combined with social media (47.8% vs. 37.7%) (see Table 1). However, their usage of schooling premises, places connected to extracurricular schooling activities, and social media by itself did not differ.

Regarding victims, Table 2 illustrates that men had roughly twice as many female victims than women did (77.9% vs. 40.3%), whereas women's cases featured more than double the proportion of male victims than men's did (59.7% vs. 22.1%; $p < .001$; $phi = -.342$). Thus, although cases typically involved victims of the perpetrator's opposite sex, this pattern was less marked for women with approximately half (59.7%) their victims being of the opposite sex, compared to more than three-quarters (77.9%) of men's victims. This disparity might be indicative of men's purposeful victim selection for sexual purposes, and women inadvertently involving victims of both genders more often by maintaining generally poor professional boundaries that characterize sexual misconduct (as previously defined).

**Table 1.** Location types and perpetrator gender ($N = 598$).

| | Perpetrator gender | | | |
|---|---|---|---|---|
| Location type (recorded) | Female % (*n*) | Male % (*n*) | Total % (*n*) | $\chi^2$ |
| Schooling premises | 58.4 (66) | 60 (291) | 59.7 (357) | .097, ns |
| Connected to extracurricular schooling activity | 15.9 (18) | 19.4 (94) | 18.7 (112) | .718, ns |
| Social Media | 23 (26) | 17.7 (86) | 18.7 (112) | 1.68, ns |
| Public place | 17.7 (20) | 8 (39) | 9.9 (59) | 9.61**; *phi* = −.127 |
| Private/semi-private | 38.1 (43) | 27 (131) | 29.1 (174) | 5.42*; *phi* = −.095 |
| Social media or Private/semi-private | 47.8 (54) | 37.7 (183) | 39.6 (237) | 3.87*; *phi* = −.08 |

Each location type is recorded as a dummy variable. The table only presents the distribution if location type was recorded and omits the complementary distribution if not recorded.
*$p < .05$; **$p < .01$; ns = not statistically significant.

**Table 2.** Victim and perpetrator gender.

| | Perpetrator gender | | |
|---|---|---|---|
| Victim gender | Female % (*n*) | Male % (*n*) | Total % (*n*) |
| Female | 40.3 (64) | 77.9 (422) | 69.3 (486) |
| Male | 59.7 (95) | 22.1 (120) | 30.7 (215) |
| Total | 100 (159) | 100 (542) | 100 (701) |

$X^2$ (1, $N = 701$) = 81.77, $p < .001$, $phi = -.34$

Younger victims (at time of perpetration) disproportionately characterized men's cases compared to women (55.8% vs. 42.1%; $p < .003$; $phi = .116$). The inverse was apparent for female-perpetrated cases, with women allegedly victimizing significantly older students than men (57.9% vs. 44.2%). To illuminate these relationships further, perpetrator differences based on interaction effects between victim gender and age were tested.

Women more often victimized boys and men more often victimized girls across both the younger ($p < .001$; CV = .221) and older ($p < .001$; CV = .444) victim cohorts. However, opposite-sex victimization was more nuanced for female perpetrators. Table 3 shows that 13–15-year-old boys and girls were equally likely to be the alleged victims of female perpetrators (50% respectively). In contrast, women clearly more often victimized boys (63.2%) than girls (36.8%) in the older victim cohort. The trend of selecting victims of the opposite sex was therefore only true for older victims of female perpetrators compared to victims across both age cohorts in male-perpetrated cases. The explanation that women's alleged conduct inadvertently captures both genders because of their generally poor professional boundaries (see Table 2) therefore only holds for younger victims.

Examining the interaction between victim age and incident severity revealed that men were almost twice more likely than women to be the subject of sexual offense allegations involving younger students (25.7% vs. 14.1%; $p = .048$; CV = .107). For older victims however, women were almost twice as likely as men to be facing sexual offense allegations (19.3% vs. 10.5%; $p = .038$; CV = .118). This inverse relationship confirms the differential nature of men and women's conduct. Namely, women's conduct with younger students tended to reflect poor professional boundaries involving overly familiar peer-like dynamics and their more serious, overtly sexual behavior involved older students. The reverse was true for men such that their most serious conduct involved the younger cohort. Taken together, these victimization patterns might have implications for the management of sexual allegations against women, especially when they involve older male pupils.

Allegations derived from victim disclosures to third parties were significantly more often about men whereas those based on third-party observations

**Table 3.** Victim gender and age and perpetrator gender.

| | Female perpetrators | | Male perpetrators | | |
|---|---|---|---|---|---|
| | Victim age (years) | | Victim age (years) | | |
| Victim gender | 13–15 % (*n*) | 16–18 % (*n*) | 13–15 % (*n*) | 16–18 % (*n*) | Total % (*n*) |
| Female | 50 (26) | 36.8 (32) | 76.5 (195) | 82 (173) | 70.4 (426) |
| Male | 50 (26) | 63.2 (55) | 23.5 (60) | 18 (38) | 29.6 (179) |
| Total | 100 (52) | 100 (87) | 100 (255) | 100 (211) | 100 (605) |

$\chi^2$ (1, $N = 605$) = 71.28, $p < .001$, CV = .343.

were significantly more often about women. This pattern held for younger and older victim cohorts but only in sexual misconduct (rather than sexual offense) cases. The group of "other" reporters (e.g., anonymous, alleged perpetrator's partner, community members) more often reported women whereas victims' direct reports to investigative agencies were more often about men. This finding also only applied to sexual misconduct cases and for allegations involving male victims. See Robertson et al. (2024) for further detailed results and discussion.

## Institutional responses

### Initial action

There were no gender differences in the types of active and particularized strategies implemented at the preliminary investigation stage. Thus, when schools undertook any of the concrete measures (i.e., remedial, low-level disciplinary etc.), they were just as likely instigated across female- and male-perpetrated cases. This suggests limited or no gender bias in the active implementation of a concrete strategy.

In contrast, initial agency *in*action was significantly more common for reported women than men (29.8% vs. 19.8%; $p = .016$; $phi = -.098$), but the relationship was very weak. Further, controlling for relevant characteristics revealed the restricted conditions under which this difference emerged. Notably, it was only apparent in response to the most serious forms of alleged conduct (sexual offenses; $p = .003$; CV = .254) and not sexual misconduct. At the lower level of severity then, inaction was just as likely for men as it was women. Agencies took significantly less action against women who allegedly offended against a sole victim ($p = .023$; CV = .112) and on a single occasion ($p = .048$; CV = .153). Schools seemingly consider it less necessary to manage the risks associated with women's alleged one-off sexual abuse of a student than men's when initially processing allegations. A lack of initial action was also more likely when women had no relevant discipline history ($p = .031$; CV = .132). Therefore, in the absence of previous disciplinary measures for reported employees, agencies seemed more likely to give women the benefit of the doubt by taking no mitigating action. Victim gender and age did not influence the pattern of inaction for women. The numbers involved in controlling for both sources of allegation variables (pathway to awareness and reporter identity) were too small to draw any definitive statistical conclusions.

### Investigation finding

Investigation findings (sustained vs. not sustained) did not differ between women and men. The lack of differences remained when accounting for seriousness of allegation (sexual offense vs. sexual misconduct) and the employee's discipline history. This suggests that institutions predominantly

focused on the conduct established by the evidence (or lack thereof) when reaching a conclusion, rather than employee gender. Therefore, the evidence does not support a gender bias at this stage of the investigative process.

### *Final action*

Consistent with the initial reaction stage, there were no gender differences in the types of active and particularized strategies implemented at the final investigation stage. Thus, when schools implemented action (i.e., remedial, low-level disciplinary, etc.), each type was just as likely undertaken irrespective of perpetrator gender, thereby indicating limited gender bias. Observed again, however, was that institutional *in*action was significantly more common in response to female- rather than male-perpetrated cases at the investigation's conclusion, though the association was weak (36.2% vs. 25%; $p = .003$; $phi = -.107$). Given there were no differences in investigation findings according to perpetrator gender, this pattern cannot be attributed to more unsubstantiated cases for women.

Like initial reactions, a lack of final agency action for women only emerged in limited circumstances. Agencies were less likely to act against women facing sexual misconduct ($p = .005$; CV = .111) than sexual offense allegations. Thus, at this final investigative stage, there were no differences in inaction to the most serious conduct (sexual offenses) based on perpetrator gender like there was at the preliminary phase. Instead, inaction applied to potentially ambiguous boundary crossings by women. Agencies took significantly less action against women than men who allegedly engaged in conduct against multiple victims ($p < .001$; CV = .292) and on a single occasion ($p = .01$; CV = .195). Taken together, these limited conditions might be indicative of boundary transgressions limited to a single occasion and potentially restricted to group contexts such as classrooms. The lack of final action against women did not differ according to victim age. Moreover, though final inaction occurred significantly more often in cases involving male (37.3%) compared to female victims (23.1%; $p < .001$; $phi = .147$), victim gender did not influence final inaction against women.

Women employed on a full-time ($p = .023$; CV = .104) and part-time or casual basis ($p = .015$; CV = .194) were significantly more likely than their male counterparts to have no action taken against them. Further, final action was less common for women than men with no relevant discipline history ($p = .01$; CV = .16). Thus, core female employees with no prior workplace sanctions were more likely than their male equivalents to remain formally unmanaged. There were, however, no gender differences in institutional inaction for personnel on the organization's periphery or with discipline histories. Given this phase followed the investigation outcome, we controlled for the agency's finding. Less action was taken for women than men only when allegations were unsubstantiated ($p = .009$; CV = .11). Thus, sustained allegations against

women and men evoked similar agency action. Finally, schools took less action against women at the final stage only when their fellow colleagues (i.e., school personnel) reported the allegations (39.2% vs 18.8%; $p = .002$; CV = .198). This might indicate a heightened sensitivity amongst personnel for reporting lower-level incidents in good faith in accordance with school policy and procedure but that ultimately do not require risk management or sanctioning.

## Discussion

We used a novel administrative dataset to compare schools' reactions to female- and male-perpetrated cases. Overall, reported women and men had similar event profiles. They therefore engaged in similarly serious alleged behavior with comparable attributes including number of victims and occasions. Of course, our sample includes more men than women, signaling a higher prevalence among men. This is especially pertinent given the teaching workforce comprises many more women than men (Australian Bureau of Statistics, 2021). Nonetheless, of those reported females, their conduct parallels that of alleged male perpetrators. This result corroborates Christensen and Darling's (2020) finding of more similarities than differences in the offending characteristics of established male- and female-educator abuse ($N = 40$). The resemblance in reported women and men's event characteristics bears relevance to how their allegations are handled by institutions. The gender parity also encouragingly demonstrates that agencies focus predominantly on incident characteristics rather than perpetrator gender when reporting to external oversight bodies.

A notable gender difference, however, was the extension of women's conduct to public and private places beyond proximal schooling spaces. This also aligns with the results of Christensen and Darling (2020). External locations like cafes and residential sites allow for unsupervised contact and are inherently more intimate and personal than the usual workplace setting. They are therefore more conducive to the transgression of professional boundaries and the forming of close emotional bonds. Even low-level transgressions in these places require risk management to prevent an escalation to abuse, irrespective of perpetrator gender.

That older students are more often victimized by women and their younger counterparts by men parallels previous research (Ratliff & Watson, 2014). Women's increased tendency to perpetrate against same-sex victims compared to men has also been reported previously (Christensen & Darling, 2020). However, we found that girls constituted a higher proportion of women's alleged victims (40.3%) than these authors (24%). Moreover, our interaction analyses elucidated nuanced perpetrator gender differences. Men's alleged victims were typically consistently of the opposite sex, irrespective of victim age, but women's increased tendency to victimize both genders was most

obvious for younger victims. It was far less apparent with older students where victimization of opposite-sex students more clearly emerged. Women's most serious alleged conduct (sexual offenses) was also in relation to older students (aged 16–18) whereas men's involved younger students (aged 13–15).

These victimization patterns underscore the importance of not relying solely on women's disciplinary history when determining appropriate action. Their most serious conduct is against boys who disclose less often than girls (Canadian Centre for Child Protection Inc, 2019), meaning their perpetrators are often not reported and held to account. It is also critical that institutional leaders ensure their policies and training programs are evidence-based and reflect information about contemporary cases (see Robertson et al., 2023). This will contribute to encouraging staff and other key stakeholders in remaining alert to women's boundary crossings, reflecting upon their own potential gender biases, and taking appropriate reporting action irrespective of the gender of the alleged perpetrator and victim.

Turning to schools' responses to allegations, an important finding was that concrete risk management strategies were not implemented on a more lenient basis for women – or harsher basis for men – at either investigative stage. There was therefore no bias across the enacted sanctions. The only gender-based difference found was for institutional inaction at both the initial and final investigation stages. However, there were very specific conditions under which agencies did not respond to female-perpetrated cases compared to equivalent male-perpetrated cases.

The most troubling manifestation of potential bias was when one-off sexual offense allegations against women without a disciplinary history were received. These allegations were reported to the external oversight body, but they were significantly less likely than those against men to trigger the implementation of any concrete risk management strategy. This could be indicative of leniency in that schools seemingly underestimate the risk associated with women allegedly engaging in sexual offenses and see no need to restrict their employment conditions. Victim attributes such as age and gender and how allegations came to light and who reported them did not account for this initial inaction. It is worrying that schools are not implementing any risk management response to the most serious type of sexual allegation in child-related employment contexts, no matter the employee or victim's gender. The lack of risk mitigation is exacerbated by the fact that the allegation would constitute a criminal offense if proven.

This limited and potential gender bias dissipates over an investigation's life course. At the end, inaction is more common in response to the least concerning cases. Overall, no action was more often taken for women without a disciplinary history who were subjected to *unsubstantiated* allegations of one-off, potentially ambiguous behaviors that did not target a sole student. In these circumstances, institutions were more likely to implement some type of

restriction on men, even in the absence of relevant discipline history and a sustained finding. Results showed that final inaction was more common in cases involving male victims, potentially reflecting a subtle gender bias against male pupils and more attunement to girls' sexual victimization and harm. However, the difference in final inaction for men and women was not predicated on victim gender, suggesting that the gender bias lies with perpetrators.

Potential gender bias therefore materialized in different ways depending on the availability of evidence at each investigative stage. It seems more applicable at the *start* of the process, prior to receiving the totality of the evidence gathered throughout investigations. When presented with all evidence at the *end* of the investigative process, the impact of the potential gender bias is lessened, thereby resulting in inaction to female-perpetrated sexual misconduct under very limited conditions.

Such inaction could signal a gender bias where women's behavior is assessed as less risky because it is automatically (and perhaps unconsciously) interpreted as inherently nurturing and less harmful (Denov, 2003). Conversely, interpretation of men's behavior often involves an attribution of underlying sexual predation. However, such inaction could also be due to evidentiary factors that our data do not capture. For instance, evidence about men's alleged conduct could be more compelling at the preliminary stage forming a stronger basis on which to act (e.g., supporting documentary evidence vs. verbal accounts). Male-perpetrated cases may also more often feature established behaviors breaching policy and procedure that warrant some type of final action compared to female-perpetrated cases.

## Conclusion

In sum, there is generally very little evidence definitively establishing a substantive gender bias in institutional decision-making based on our data. That which does seem to exist occurs under certain conditions at different investigative stages. Nonetheless, other perpetrator, victim, event, and reporting characteristics did not fully account for differences in the lack of action suggesting women are afforded the benefit of the doubt. To solidify conclusions as to whether decision-making is gender-biased or legitimately based on evidential quality, further research is required. Qualitative case file analysis would allow a more contextualized understanding of institutional responses (Brown et al., 2022) and further advance knowledge of this topic. This could be triangulated with interviews with decision-makers to further probe details of their rationale for any inaction that are not captured by documented case records.

In the interim, institutional leaders should be mindful of, and reflect upon, whether they would react differently if the case involved a male

employee or perpetration against female students, especially upon receipt of serious sexual allegations. This can prompt leaders to reconsider a lack of risk management in certain female-perpetrated cases. There is also a role for regulatory agencies in such reflection. External oversight bodies should especially scrutinize these types of decisions and hold child-serving organizations to account in their management of sexual allegations involving women and boys. Schools should have to justify any inaction very clearly and thoroughly to an oversight agency, ideally in dialogue about potential gender bias rather than in completion of a form. Embedding such practices will strengthen institutional management of sexual allegations and improve student safety.

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## Ethical standards and informed consent

Our study does not use human participants but a deidentified secondary dataset provided by an administrative data custodian. Griffith University's Human Research Ethics Committee approved the broader project that this study was part of (Ref No: 2019/1021).

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# Appendix

## *Variables in original dataset*

***Employee Role:*** teacher's aide; teacher; Deputy Principal; Principal; administrative staff; transport driver; special transport driver; clergy; other religious; youth worker; other school professional; other school support staff; other employee; volunteer.

***Locations***: approved school activities; alleged victim's home; car or other transport; other (not otherwise classified and not in public view); party or drinking venue; public venue; school related other than approved activity; alleged perpetrator's home; social media; school premises; workplace/schooling accommodation.

***Initial Action:*** allowed to resign; caution or warning; direction; dismissed; increased supervision/monitoring; not reengaged; "not to be employed" list; removal of contact between victim and perpetrator; restriction of current duties; suspended with pay; suspended without pay; training for workforce; transfer to alternate duties.

***Final Action:*** transfer (disciplinary); admonished/warning; deferred advancement; demoted; dismissed; fined; permitted to resign; restricted/changed duties; increased supervision; increased support; transfer (non-disciplinary); counseled; "not to be employed" list; performance monitoring; training for employee; dismissed for other reasons.

**Table A1.** Descriptives (final sample).

| Variables | % | *N* | % valid of total (*N* = 809) |
|---|---|---|---|
| **Perpetrator** | | | |
| *Gender* | | 809 | 100 |
| Female | 23.4 | | |
| Male | 76.5 | | |
| Transgender | 0.1 | | |
| *Age*[a] | | 793 | 98 |
| ≤30 | 26 | | |
| 31–50 | 44.3 | | |
| 51+ | 29.8 | | |
| *Role* | | 809 | 100 |
| Teacher/aides | 79.6 | | |
| Other professionals | 9.5 | | |
| Ancillary | 6.6 | | |
| Executive | 4.3 | | |
| *Employment status*[a] | | 721 | 89.1 |
| Full-time | 69.1 | | |
| Part-time or casual | 22.6 | | |
| Other | 8.3 | | |
| *Relevant discipline history*[a] | | 409 | 50.6 |
| Yes | 33.7 | | |
| No | 66.3 | | |
| **Event** | | | |
| *Incident severity* | | 809 | 100 |
| Sexual misconduct | 80.7 | | |
| Sexual offense | 19.3 | | |
| *Number of victims* | | 809 | 100 |
| One | 66.7 | | |
| Multiple | 33.3 | | |
| *Number of occasions*[a] | | 642 | 79.4 |
| One | 28 | | |
| Multiple | 72 | | |

(*Continued*)

**Table A1.** (Continued).

| Variables | % | *N* | % valid of total (*N* = 809) |
|---|---|---|---|
| *Location*[a,b] | | 599 | 74 |
| Schooling premises | 59.6 | | |
| Extracurricular schooling activities | 18.7 | | |
| Social media platform | 18.7 | | |
| Public place | 9.8 | | |
| Private/semi-private place | 29.2 | | |
| Social media and private/semi-private places | 39.7 | | |
| **Victim** | | | |
| *Gender*[c] | | 702 | 86.8 |
| Female | 69.2 | | |
| Male | 30.8 | | |
| *Age*[a] | | 647 | 80 |
| 13–15 | 52.6 | | |
| 16–18 | 47.5 | | |
| **Institutional Reactions** | | | |
| *Initial action*[b,d] | | 560 | 69.2 |
| No action/inaction | 23.9 | | |
| Remedial | 14.5 | | |
| Low-level risk management | 15.5 | | |
| Low-level disciplinary | 21.8 | | |
| Medium-level disciplinary | 18.6 | | |
| High-level disciplinary | 18.9 | | |
| *Investigation finding* | | 809 | 100 |
| Sustained | 27.3 | | |
| Not sustained | 72.7 | | |
| *Final action*[b,d] | | 719 | 88.9 |
| No action/inaction | 30 | | |
| Remedial | 25 | | |
| Low-level risk management | 3.8 | | |
| Low-level disciplinary | 28.2 | | |
| Risk management or low-level disciplinary | 29.2 | | |
| High-level disciplinary | 27 | | |

Sum of percentages for some characteristics might slightly exceed 100% because of rounding.
[a]Excluding blank entries and/or those recorded as 'unknown.'
[b]Totals more than 100% because one case could involve multiple responses.
[c]Excluding blank entries and/or those recorded as 'unknown' or 'both.'
[d]Excluding blank entries and/or those recorded as 'not otherwise classified.'