

Compensations in Accident Cases in 2020

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Introduction

We operate one of the biggest departments of insurance law in Cyprus and we represent some of the biggest insurance companies. We also represent individuals in insurance disputes of all types, including severe injuries cases. We specialize in, among others, cases of road traffic accidents, industrial accidents, professional liability, property damage, and procedures of compliance with insurance law. Our experience, expertise, domestic knowledge, and familiarity with modern technology enable us to face the challenges of insurance law in modern times. We seek to identify unreasonable claims, if any, and give legal advice at an early stage, seeking to achieve successful settlement from the onset of a dispute, while in cases where actions are taken to Court, the teams of our litigation department provide legal representation, defending the interests of our clients and seeking to assist the Court in achieving a just outcome in relation to the matters of the litigious dispute. We prepare detailed case assessments, presenting various scenarios and their possibilities before and after the initiation of actions. We also provide foreign reinsurance companies with analytical opinions of cases. Lastly, we provide legal services for recovery cases and insurance disputes that extend beyond more than one jurisdiction.

2020 Review

The issue of the Compensations Brochure has now become a tradition. Every year, it is sent to all insurance companies in Cyprus while at the same time it is translated and forwarded to insurance lawyers abroad, so that all interested persons may now expect the issuance of the Brochure to study the tendencies of the legislation. The following pages provide a summary of the decisions of the Cypriot Courts (firstly of the Supreme Court and subsequently of District Courts) that were issued in 2020, in which compensations were awarded for injuries resulting from any form of accident. The purpose of the following collection of decisions is to provide an indication of the scale of compensation for various personal injuries. However, as repeatedly pointed out by the Courts, previous decisions in relation to compensation do not necessarily constitute any binding precedent. Particularly, the Courts illustrate that there is no standard valuation measure for human pain. The judgements in other cases simply provide a general guidance because it is not possible for two people, who have been injured under totally different conditions and circumstances, to suffer the same personal injuries, pain and discomfort. However, when there exist, regarding past cases, either a relevance to the injury, or similarities in the extent, type, or result of the injury, it is right and fair for Courts to draw guidance from, and consider, the scale of compensation awarded in other cases. Consequently, while it is true that the Courts are led to the determination of the amount of the compensation based on the case-law, they first and foremost have to take into consideration the conditions and circumstances of the case.

Civil Appeal Number	247/2013
Date of Judgement	07.04.2020
Parties	Christoforou v. Germanou
Court	Supreme Court (L. Pappas, K. Stamatiou, T. Psara-Miltiadou)
Facts	<p>The Appellant, as a result of a traffic collision, suffered a concussion, blunt-force trauma on the head, the lip and the right leg, pelvic fracture for which short term bed rest and mobilization were recommended, and fracture of the fourth metatarsal in the right leg which was treated by immobilization in plaster splint. He also presented a strain of the left ankle joint. He remained in the Nicosia General Hospital from 21.05.2005 to 08.06.2005 and was then monitored in the Orthopaedic Clinic. He received a total sick leave for a period of 3 months and 10 days. Further, when admitted to the hospital, he had bloody urine. Contusion and hematoma of the kidney was identified, and a urethral catheter was placed and then removed after four days. On 09.10.2006, he was subject to a radiological examination and it was found that the pelvic fracture and the fracture of the 4th metatarsal had fully healed and did not leave functional problems for the Appellant. The District Court awarded €20.000 as general damages. The Supreme Court, taking into account the fact that the kidney contusion and hematoma posed an immediate risk to the life of the Appellant, something that led to his hospitalization for several days, and he was then monitored by surgeons as well as urologists with specialized kidney examinations, increased the general damages to €25.000.</p>
General Damages	€25.000

Civil Appeal Number	316/2013
Date of Judgement	21.07.2020
Parties	Alfa Concrete Public Company Ltd. Gliko
Court	Supreme Court (S. Nathanael, K. Stamatiou, T. Psara-Miltiadou)
Facts	<p>The Appellee, while walking along the pavement, knocked into some metal poles that were located behind olive branches and which supported a parked vehicle with a built-in concrete mixer, property of the Appellants. From the accident, the Appellee suffered a deep blunt-force trauma on the head, concussion, cervical strain (whiplash injury), severe headache, dizziness, and vertigo, as well as memory disorders and inability to focus. The wound on the head was sutured (4 sutures), and the Appellee was administered a soft cervical collar, a tetanus vaccine, antibiotics and painkillers. In addition, he had muscular spasms in the cervical area and scapula, while there was a local sensitivity and mobility decrement. Further, the Appellee claimed that he was absent from his work for a period of 18 days. The Court of first instance, awarded €6.000 general damages. The Supreme Court, although through its decision left the implication that it would most likely have granted a lower amount, considered that the amount was not obviously excessive to justify the intervention of the Supreme Court.</p>
General Damages	€6.000

Civil Appeal Number	309/2013
Date of Judgement	22.07.2020
Parties	Attorney General of the Republic v. Andreas M. Kleanthous, in his capacity as administrator of the estate of the late Charalambos Roussos
Court	Supreme Court (S. Nathanael, K. Stamatiou, T. Psara-Miltiadou)
Facts	<p>Charalambos Roussos (deceased at the time of the adjudication of the case), 59 years old at the time under dispute, worker at the Department of Public Works, as a result of having fallen from a scaffolding during work, suffered a radial head fracture of the left elbow, acute abdomen and intraventricular haemorrhage and spleen rupture. He was submitted to exploratory laparotomy and splenectomy. He remained in the Nic- osia General Hospital for 13 days. He remained away from work from 15.04.2005 to 31.05.2005. Permanent residues reported were a postoperative scar, drug taking and permanent pain. Furthermore, by a decision of the National Medical Board, which was taken in the course of an application to be granted a benefit by the government, it was considered he sustained 12% permanent disability. On the basis of the above, the Supreme Court held that the amount of €50.000 adjudicated by the District Court as general damages was reasonable under the circumstances.</p>
General Damages	€50.000

Civil Appeal Number	1609/2019
Date of Judgement	21.07.2020
Parties	Slavchev v. Makris and others
Court	Limassol District Court (St. Vasiliou Loukidou, D.J.)
Facts	<p>The Claimant, doctor, aged 57, while driving a bicycle, was involved in a traffic accident, resulting in a comminuted fracture of the distal end of the right clavicle, an intravenous fracture of the head of the 4th metacarpal on the right, a fracture of the left pubic ramus bone, a fracture of a left scaphoid, a stress fracture on the left trapezoid, partial rupture of the scapholunate ligament of the left wrist and a sternal fracture and especially of the left hemithorax. Three months after the accident, Claimant continued to have complications with symptoms of daily pain and stiffness in the left radiocarpal and a reduction in the grip strength of the left hand. These symptoms are exacerbated after fatigue and are now considered permanent. Because of the severity of the injury of the left hand (multiple injuries) there is a very high probability of developing post-traumatic osteoarthritis with a deterioration of symptoms and the need for future surgical procedures. The fracture of the right clavicle which presents pseudoarthrosis continues to cause irritation with pain after fatigue and changes in the weather and may need to be treated surgically. From the fracture of the head of the 4th metacarpal, he continues to have several complications with right hand stiffness and numbness of the fingers. From the fracture of the left hemithorax and the fracture of the left pubic ramus bone, the Claimant will continue to experience several complications especially after fatigue.</p>
General Damages	€35.000 (demonstration of case due to non-filing of an appearance note)

Civil Appeal Number	650/2019
Date of Judgement	31.01.2020
Parties	Savvidou v H.M. Housemarket Cyprus Ltd
Court	Nicosia District Court (Ch.B. Charalambous, S.D.J.)
Facts	<p>The Claimant, as a result of an escalator accident in the Defendant's store, suffered a slightly displaced fracture of the left clavicle. During the clinical examination it was found that there was intense pain in the area of the left shoulder and the acromioclavicular joint with ecchymosis in the chest and both trapezius muscles, as well as swelling in the area of the left shoulder. An arm sling was administered, the left upper extremity was immobilized, and conservative treatment was decided. Two months after the accident, progressive healing of the fracture was observed, although not completely, while the Claimant had a satisfactory range of motion but with slight pain in bending beyond 130 degrees. There is a serious possibility of pseudoarthrosis in the area of the fracture which will require open reduction surgery, internal osteosynthesis and placement of a pelvic autograft (from the pelvis) as well as the possibility of the Claimant developing severe osteoarthritis in the left shoulder area. It was further accepted by the Court that Claimant could not drive for about 1 year and that she frequently uses painkillers for left back and left arm pain and is forced to limit her daily activities.</p>
General Damages	€23.000

Civil Appeal Number	4300/2012
Date of Judgement	04.02.2020
Parties	Chadjichanna v Chadjichanna and others
Court	Nicosia District Court (G. Kithreotou-Theodorou, D.J.)
Facts	<p>The Claimant, an employee at a banking institution, suffered a cervical strain as a result of a traffic collision. During the Claimant's clinical examination after the accident, muscle spasm, pain, and restriction of the range of motion of the cervical spine were found. The Claimant further complained of headache, severe neck pain extending to the occipital region. Rest, use of cervical collar and medication were recommended. About 20 days after the accident, the Claimant displayed remission of symptoms and neck pain.</p>
General Damages	€2.500

Civil Appeal Number	2758/2012
Date of Judgement	21.02.2020
Parties	Georgiou v. Tasaouri
Court	Nicosia District Court (Ch. B. Charalambous, S.D.J.)
Facts	<p>The Claimant, 45 years old, a secretarial assistant, as a result of a traffic collision, suffered a traumatic brain injury with post-concussion syndrome and a right knee injury. The clinical findings were: peritraumatic amnesia without loss of consciousness, headache, dizziness, and nausea. She was hospitalized in the Surgical Clinic of the General Hospital of Nicosia for a period of 3 days. Her recovery was smooth, and a recommendation was made for conservative treatment and monitoring. She was instructed to rest, avoid sun exposure, avoid watching TV, reading, and using a computer, and to take painkillers. Due to the post-concussion syndrome, 10 days after the accident, she was referred to a neurologist, while as a result of the injuries she suffered, she was granted sick leave for a period of about 2 months</p>
General Damages	€5.000 (action was dismissed – liability was not proven)

Civil Appeal Number	4755/2011
Date of Judgement	24.02.2020
Parties	Frangou v. Simeonidis
Court	Limassol District Court (L. Paschalidis, D.J.)
Facts	<p>The Claimant, as a result of a traffic collision, suffered a neck strain with straightening of the cervical spine, soft tissue injury in the lower back, soft tissue injury of the left knee, blunt-force trauma in the left area of the forehead, which was sutured, and muscle atrophy of the quadriceps in the left leg of 1-2cm length. No fracture was present at any of the points where he was injured. As a result of his injuries, Claimant underwent a number of physiotherapies for a period of 3 months. It took a period of 10-12 weeks for the wounds to heal. The Court further found that a year and a half after the accident, the Claimant continued, after fatigue, to feel some discomfort as a result of his injuries, but the discomfort could be easily remedied and treated with physiotherapy or simple exercises at home.</p>
General Damages	€5.000

Civil Appeal Number	3860/2012
Date of Judgement	28.02.2020
Parties	Martoudi v. Nemesis Constructions Public Company Ltd
Court	District Court of Limassol (L. Paschalidis, D.J.)
Facts	<p>The Claimant, as a result of an accident, while walking on a wooden ramp placed by the Defendants at the entrance of the apartment building where he lived, he suffered a focal rupture of the medial head of the gastrocnemius muscle peripherally with hematoma. He underwent 4 physiotherapies. Eight months after the accident, no significant improvement in the injury was seen and the Claimant was still in pain in the injured areas and had difficulty walking. Although the Claimant claimed that he suffered from leg pain up to the time of the hearing, in the absence of relevant medical evidence, the Court found that the Claimant's pain and suffering lasted for a total period of 9 months. It was further noted that the greatest suffering caused to the Claimant took place during the first 5 months of the injury.</p>
General Damages	€5.000

Civil Appeal Number	2272/2012
Date of Judgement	27.03.2020
Parties	Mirazanasvili v. Administrative Committee of the Bridgehouse Commercial Building
Court	Nicosia District Court (G. Petasi-Korfioti, S.D.J)
Facts	<p>The Claimant, as a result of an accident with an electricity meter (electric shock), suffered an electric burn to the left upper extremity, mainly the middle finger of his left hand. He was transferred to the General Hospital of Nicosia where surgical cleaning and placement of a full thickness skin graft was performed. The Claimant was hospitalized at the General Hospital of Nicosia for a period of 3 days and upon his departure he was recommended for antibiotic treatment and a visit to the Outpatient Clinics was scheduled. Claimant suffered from hand pain for about 6 months.</p>
General Damages	€5.000

Civil Appeal Number	800/2012
Date of Judgement	13.04.2020
Parties	I. minor via S. and Ch., father and mother of the minor, exercising parental care, and closest friends thereof v. Deryneia Municipality and others
Court	Famagusta District Court (M. Papathanasiou, D.J.)
Facts	<p>The Claimant, 5 years old, as a result of an accident while playing in kindergarten (fall from a height) suffered a supracondylar fracture of the right arm. He was transferred to the Larnaca General Hospital where he underwent fracture reduction. However, due to the fact that the pulse of the radial artery did not return, a new operation was followed with open reduction of the fracture. Despite the 2nd attempt, the radial artery had no pulse, so it was considered that this artery had been damaged. He was subsequently transferred to the Nicosia General Hospital where revascularization surgery was performed on the right upper extremity, using a venous bypass graft from the Claimant's leg. After the vascular surgery, the circulation returned to the right upper extremity, but a few hours after the bypass, the implant displayed thrombosis, and as a result, he was taken back to the operating room and a new bypass was made again with a venous implant again from the leg. The second operation had a good result and to date the right upper extremity has good arterial circulation. Three days after the accident, the Claimant underwent open resection of the supracondylar fracture of the right arm and osteosynthesis with kirschner needles, which were then removed. A radiocarpal splint was placed. The Claimant was hospitalized for a period of 9 days. During his hospitalization, he had to be given antibiotics, aspirin, and analgesics. After his discharge, he was instructed to take aspirin, which he still takes daily. He was also instructed to abstain from sports activities for a period of 3-6 months and for monitoring. He underwent 57 physiotherapies. The Claimant is completely healed and there is no residue except the scars.</p>
General Damages	€18.000 (action was dismissed – liability was not proven)

Civil Appeal Number	4828/2012
Date of Judgement	14.05.2020
Parties	Pilavaki v. Peric Water System Ltd and others
Court	Nicosia District Court (G. Chr. Foulia, D.J)
Facts	<p>The Claimant, a 20-year-old Taekwondo athlete, as a result of a traffic collision suffered bruises and abrasions on her forehead, right forearm, the rear surface of the right thigh, right knee, right calf, right calf, and a left ankle strain. She also suffered cervical and lumbar strains, had a scar on her right eyebrow 1cm long and 1mm wide with noticeable hair loss and another sunken scar on the right hip of the trochanteric bursa with hardness and tenderness due to soft tissue injury. She wore a cervical collar for 6 weeks and was taking analgesic pills. The scar on the eyebrow is permanent but can be properly covered by the eyebrow hairs so that it is not visible, while the scar on the hip can be significantly improved by 80% with corrective plastic surgery. The Claimant fully recovered within 6 weeks of her injury and then took part in the Pan-European Taekwondo Championships in Rome.</p>
General Damages	€5.000

Civil Appeal Number	433/2013
Date of Judgement	29.05.2020
Parties	Michail v. Attorney General of the Republic
Court	Larnaca District Court (N. Gerolemou, S.D.J.)
Facts	<p>The Claimant, 57 years old, construction foreman, as a result of the explosion that took place near a military camp and the blast wave that was created, while driving his vehicle, suffered multiple injuries and then developed very serious psychological problems. Immediately after the accident, he was found to have suffered traumatic brain injury, severe neck strain and fracture of both shoulders. After further examinations, it was found that he suffers from psychogenic headache, tinnitus, hearing loss and pain in the eyes and difficulty in vision. At the same time, he presents a sleeping disorder in the form of difficulty sleeping and symptoms of major depressive disorder characterized by psychomotor retardation (bradyphrenia), fatigue and loss of energy, feelings of guilt and worthlessness and depressed mood. Some days when he feels intense sadness he cannot even drive while he has decreased libido. Claimant has undergone a series of tests and is currently receiving medication for his health problems. The Court further held that the Claimant was unfit for employment</p>
General Damages	€120.000

Civil Appeal Number	8851/2012
Date of Judgement	01.06.2020
Parties	Makromalli v. Sakka
Court	District Court of Nicosia (A. Pantazi-Lambrou, D.J.)
Facts	<p>The Claimant, 67 years old, retiree, as a result of a traffic collision, suffered a cervical and lumbar spine injury with the presence of medically confirmed neck and back pain symptoms for a period of 6 weeks after the injury, but also continuing discomfort beyond this period and up to the time of the hearing, due to pre-existing, prior to the injury, degenerative changes of the cervical and lumbar spine, which pre-existing condition was exacerbated by the injury from the accident. Furthermore, the Claimant, as a result of the accident, has suffered slight hearing loss at low frequencies and severe hearing loss at high frequencies. The Court awarded as general damages €8.000 for the hearing problem plus €5.000 for the remaining injuries and residues in the cervical and lumbar spine.</p>
General Damages	€13.000

Civil Appeal Number	5551/2012
Date of Judgement	15.06.2020
Parties	Theodotou v. Theocharous
Court	District Court of Nicosia (A. Pantazi-Lambrou, D.J.)
Facts	<p>The Claimant, 46 years old, dental technician, while riding a motorcycle, was involved in a traffic collision resulting in fractures of the 5th, 6th and 7th side, a neck strain, an anterior femoral nerve strain in the right anterior thigh, a right elbow strain, as a result of which ulnar neuritis developed with symptoms of numbness in the little and middle finger of the right hand. The fractures were treated conservatively using a special bandage. Further, the neck strain exacerbated a pre-existing condition of intervertebral disc prolapse at the C5/C6 level with rhizitis and neurological sites involving the C6 root on the right. The Claimant underwent physiotherapy for a period of 3 years, however the Court stated that such a large number of physiotherapies was not justified. Permanent residues in the Claimant included hypersensitivity in the right anterior thigh, weakness in the movements of the small and medial vertebra where the ulnar neuritis had been caused and pain in the left hemithorax where he had suffered the fractures, with reflex pain in the neck and lower back.</p>
General Damages	€20.000

Civil Appeal Number	2183/2011
Date of Judgement	17.06.2020
Parties	Charidimou v. Attorney General of the Republic
Court	District Court of Limassol (G. Petasi-Korfioti, S.D.J.)
Facts	<p>The Claimant, national guard, who was performing his military service, as a result of a fall due to an allegedly slippery floor suffered a left knee injury with an outwards patellar dislocation. He was transferred to the Nicosia General Hospital and after undergoing an X-ray examination, a plaster splint was placed on his left knee and he was discharged. About 15 days later the plaster splint was removed. Further, a few days later, swelling was found in the patella which was also removed. The Claimant attended an unknown number of physiotherapies, and at the time of the hearing he was able to exercise and practice martial arts. It is noted that the Court concluded that the meniscus rupture found in the Claimant's left knee for the first time, one and a half years after the accident, was not the result of the accident.</p>
General Damages	€6.000 (action was dismissed – liability was not proven)

Civil Appeal Number	4177/2012
Date of Judgement	30.06.2020
Parties	Christou v. K. Andreou & Sons Limited, through the liquidator of the company XXX Pitta
Court	Limassol District Court (Chr. G. Filippou, S.D.J.)
Facts	<p>The Claimant, 28 years old, construction worker, as a result of a work accident (fall from a height) suffered a compressive unstable fracture of the L1 vertebra with displacement of a bone fragment and narrowing of the spinal canal as well as a compressive fracture of the L2 vertebra. After his injury, he was transferred to the Limassol General Hospital, where the fractures were treated conservatively with bed rest of the lumbar spine, painkillers and anticoagulants and frequent neurological examinations. 2 weeks after the incident, he was mobilized with the help of a guardian (three-point zone). He was discharged 16 days after the accident and since then he was monitored monthly in the Outpatient Clinics while he underwent various examinations in private hospitals and underwent physiotherapy. He has been declared 75% unfit for work by a medical council. At the time of the hearing, the Claimant was diagnosed with chronic lower back pain, back pain, spinal muscle spasm on either side of the fractures, spinal stiffness, and difficulty with prolonged posture and sitting positions and was easily fatigued. Radiologically, he displayed deformity of the descending vertebrae resulting in the development of further kyphosis, thoracic kyphosis of the spine. The Claimant's condition is permanent and steadily deteriorating and due to him being of young age, with the worsening of the post-traumatic osteoarthritis (degenerative) lesions in the area, he will need to undergo spinal fusion surgery in the future.</p>
General Damages	€105.000

Civil Appeal Number	4771/2012
Date of Judgement	31.08.2020
Parties	Pogiatzi and others v. Laiki Asfaltistiki Eteria Ltd
Court	Nicosia District Court (X. Xenofontos, D.J.)
Facts	<p>Claimant 1, as a result of a traffic collision, suffered severe neck injury with straightening and concussion. He did not suffer any external traumas. He remained away from work for some time and experienced discomfort for a period of 3 months. There were no remains of the injury.</p> <p>Claimant 2 (passenger), as a result of the traffic collision, suffered a neck injury. He felt neck pain and dizziness and visited a doctor but did not undergo a radiological or MRI examinations. His doctor recommended that he take painkillers. He was absent from work for about a month. The Claimant experienced discomfort for about 1 month and then fully recovered.</p>
General Damages	€4.000 to Claimant 1 €1.500 to Claimant 2

Civil Appeal Number	8051/2012
Date of Judgement	09.09.2020
Parties	Galatis v. others v. ATC Enterprises Ltd
Court	Nicosia District Court (L. Paschalidi, D.J.)
Facts	<p>The Claimant, as a result of his fall on a slippery floor in a nightclub, suffered an injury to his left ankle, which was medically classified as an ankle fracture. As a result of his injury, an orthopaedic cast had to be placed on his injured limb for a period of 3 months. He received sick leave for a corresponding period of 3 months. There was no claim of residue, and the Court held that at the end of the three months, the Claimant had fully recovered.</p>
General Damages	€5.000

Civil Appeal Number	3742/2012
Date of Judgement	10.09.2020
Parties	Krastev v. Papaioannou & Kyriakou Limited
Court	Pafos District Court (A. N. Koni, P.D.J.)
Facts	<p>The Claimant, 38 years old, welder-blacksmith, as a result of a work accident (fall from a height) suffered a supracondylar fracture of the left arm and was transferred to the Paphos General Hospital where he was hospitalized for 9 days. Within 3 days of the accident, after a hematoma that had formed in the elbow had subsided, he was taken to the operating room where internal osteosynthesis of the fracture was performed with plate and screws. About 1 month and 7 days after the accident, due to postoperative inflammation, he was re-admitted to the General Hospital of Paphos, where the inflammation was treated conservatively with antibiotics. He was hospitalized for another 4 days and when he left the hospital the wound was calm and clean. About 5 months after the accident, a clear improvement in elbow mobility and progression of healing were observed during the clinical examination. He was granted sick leave for a total period of 5 months and since then he has not visited the Outpatient Orthopaedic Clinics of the General Hospital of Paphos. About 6 months after the accident, during the last clinical examination, the fracture was completely healed, and the movements of the elbow were lacking 15° in extension and 20° in flexion. Four years after the accident, he developed osteoarthritis in his elbow, which had not worsened until the hearing of the case. The Claimant can look after himself and perform the job of welder or another manual worker from the year 2011 but should adjust the way he works based on his complications and when he feels discomfort after prolonged activity, he should rest. There is no indication that the Claimant needs to undergo osteosynthesis material removal or any other surgery.</p>
General Damages	€25.000

Civil Appeal Number	89/2011
Date of Judgement	10.09.2020
Parties	Tirri v. Michalis Palama Construction Company Limited
Court	Limassol District Court (D. I. Kitsiou, P.D.J.)
Facts	<p>The Claimant, 21 years old, construction mould worker, as a result of a work accident in a building (falling from a height) suffered an unstable fracture in T9 - T10 with severe spinal cord injury and paraplegia. He was transferred to the Limassol General Hospital and then to the Achillion Medical Center where he underwent surgery. He underwent decompression and stabilization. Despite the above operation, his condition had not changed, paraplegia and spasticity as well as disorders in the function of the pelvic organs remained as permanent residues. Due to the above injury, the Claimant did not work again after the accident in question. Due to his injury, he has become paraplegic and will need kinesiotherapy for the rest of his life - he is currently unable to perform manual labour, while the chances of finding office work are minimal. Also, his permanent disability creates psychological problems, due to the outcome and change of his way of life. In order to have a child, IVF is required. He visits a psychologist for support due to the various problems he faces. The Claimant continues kinesiotherapy and is able to exercise from the waist up.</p>
General Damages	€400.000

Civil Appeal Number	1626/2011 and 1627/2011
Date of Judgement	30.11.2020
Parties	Makridou Kasoumi v. Georgiadi & Kasoumi v. Georgiadi v. Makridou Kasoumi
Court	Larnaca District Court (G. Kithreotou – Theodorou, D.J.)
Facts	<p>The Claimant in the action 1626/2011, as a result of a traffic collision, suffered a strain of the cervical spine with straightening and head injury (minor blunt-force trauma, without suturing) while she complained of dizziness, headache, and neck pain. She was hospitalized at the General Hospital of Nicosia for 2 days, while she received sick leave for the periods from 20.08.2008 to 05.09.2008 and from 08.09.2008 to 12.09.2008. In a medical examination the Claimant was submitted to on 08.09.2008, i.e., 20 days after the accident, it was observed that there is still limited mobility of the cervical spine and muscle spasm of both the cervical and jugular muscles and physiotherapy was recommended. The Claimant underwent a number of physiotherapies and wore a cervical collar for some time.</p>
General Damages	€3.500 to the Claimant in action 1626/2011 (action was dismissed – liability was not proven)

Civil Appeal Number	2086/2020
Date of Judgement	08.12.202
Parties	Ioannou v. Ioannou and others
Court	Limassol District Court (Chr. Mitletton, D.J.)
Facts	<p>The Claimant, as a result of a traffic collision, suffered a mild concussion and severe neck strain with straightening of the cervical spine without fractures. He had symptoms of dizziness, instability, nausea, pain in the head, neck, shoulders and lumbar areas of the spine, stiffness, weakness, muscle spasms and numbness in the upper extremities, bruising in the right lateral occipital region of the neck and a belt imprint in the anterior right hemithorax. His injuries were treated without hospitalization, with rest, medication, use of a soft collar and physiotherapy, giving an improved picture 10 days after the accident. He received sick leave for a period of 10 days. At the reassessment, 10 days after the accident, there was an improved clinical picture of the back pain, but due to persistent symptoms of numbness mainly in the right and upper extremities, adjusted cortisone therapy was administered, and further physiotherapy and analgesic treatment were recommended. In calculating the general damages, the potential future discomfort of the Claimant was taken into account.</p>
General Damages	€5.000

Civil Appeal Number	1640/2012
Date of Judgement	09.12.2020
Parties	Makrigianni via his natural parents XXX who are also exercising his parental care v. G.H. SKATES LTD
Court	Nicosia District Court (X. Ksenofontos, D.J.)
Facts	<p>The Claimant, aged 3,5, as a result of an accident in a playground in Nicosia (fall on an inflatable slide) suffered deformity in the left forearm, severe swelling and hematoma and inability to move the limb due to severe pain. He also suffered a fracture of the lower end of the tibia and ulna. The fracture was repositioned with the use of analgesics, and a cylindrical splint was placed above the elbow. A new radiological examination that was performed afterwards showed a satisfactory location of the fracture. After 3 weeks, the splint was removed and with the help of physiotherapy, the muscle strengthening and mobilization of both the radiocarpal and elbow joints began. After a total of 8 weeks following his injury, the Claimant was able to return to his daily routine. However, it was recommended to avoid sports activities for another 6 months. One year after the injury, the Claimant was able to return to all his activities.</p>
General Damages	€5.000

Civil Appeal Number	4118/2012
Date of Judgement	22.12.2020
Parties	Antoniou v. Attorney General of the Republic
Court	Larnaca District Court (T. Karakanna, P.D.J.)
Facts	<p>The Claimant, 28 years old, special Police Officer, was stationed at the Vasilikos Power Station at the time of the explosion in Mari in 2011. As a result of the explosion, the Claimant suffered, among other things, multiple fractures in various parts of his body, including his skull, burns up to the 3rd degree in 30% of his body, wide and deep necrosis of the left upper extremity and loss of skin of the right thenar of the left forearm and the right quadriceps, which had to be covered with skin grafts. He was intubated for 1 month and underwent surgery in both Cyprus and Israel, followed by a long-term rehabilitation program in Israel. His left eye has been completely removed while his vision in his right eye is limited and there is a risk of rejection of the implant, which allows him to see even if to a limited extent. He is expected to undergo surgery to replace a prosthetic left eye every 8-10 years. At the same time, his hearing, the mobility of the upper extremities and to a lesser extent the mobility of the lower extremities were affected. The scars on his face and body are extensive and deformed and most cannot improve further. He suffers from chronic post-traumatic stress and major depression, while he was deemed 100% incapable of work. Due to his condition, he is socially isolated while the chances of raising a family are slim.</p>
General Damages	€1.000.000

Civil Appeal Number	3184/2013
Date of Judgement	30.12.2020
Parties	Monogiou v. Laiki Yperagora Stelios Andreou Limited
Court	Nicosia District Court (X. Xenofontos, D.J.)
Facts	<p>The Claimant, insurance agent, 59 years old, while in the Defendants' supermarket, slipped and suffered a vertical dislocation of her right shoulder. Under general anaesthesia, the dislocation underwent closed reduction surgery and then the Claimant underwent physiotherapy. Due to the inability to abduct the right shoulder, about 2 months after the accident, an MRI scan was performed which revealed that Claimant had ruptured the myotendinous junction (supracutaneous and subcutaneous tendon) and 3 months after the accident she underwent a new surgery. After the operation, she was referred again to physiotherapy for 12 weeks. Due to the severity of the rupture, the tendons ruptured again. An MRI scan performed 10 months after the accident revealed a massive tear of the entire thickness of the rotator cuff tendons (supracutaneous and subcutaneous, and subscapularis) of the right shoulder, with inward insertion of supracutaneous and subcutaneous tendons. It was deemed by her doctor that the condition could not be treated surgically. Tear of the rotator cuff tendons is now a permanent residue. Her right hand has a limitation in its mobility (complete impossibility of active bending, abduction and turning) which affects the Claimant in her daily life (driving, bathing, dressing).</p>
General Damages	€50.000

Civil Appeal Number	6271/2012
Date of Judgement	31.12.2020
Parties	Flourentzou v. Antoniou and others
Court	Nicosia District Court (X. Xenofontos, D.J.)
Facts	<p>The Claimant, 36 years old, while riding a motorcycle, was involved in a car accident resulting in a fracture of the right tibia and fibula for which he underwent surgery at the General Hospital of Nicosia where he was treated for a period of 3 days. It took him 6 months to recover, he underwent 10 physiotherapies and then performed exercises at home. He suffered severely for a period of 6 months. 2 scars of 18cm and 10cm length remained as permanent residues and he feels some stiffness in the toes of his right foot, discomfort during intense work or activity (which obviously requires the use of his foot) such as hunting and the work of a driver. There was generally a healing of the fracture and the Claimant was able to walk normally at the time of the trial. The Court, although no loss of income was proven during the award of general damages, considered, inter alia, that the Claimant could no longer work as a professional driver.</p>
General Damages	€22.000

Our Team



Nicolas Kyriakides
Partner

Partner and Head of the firm's Banking & Finance and Insurance Law Departments.

Expertise

Banking and Finance, Insurance and Personal Injury law

Academic Qualifications

DPhil (PhD), University of Oxford, 2016
LLM, New York University, 2013
MSt, University of Oxford, 2012
LLM, Corporate Law University College London, 2011
LLB, National and Kapodistrian University of Athens, 2010

Professional Qualifications

Member of the Cyprus Bar Association
Member of the Board of Directors of the Cyprus Arbitration Forum
Founder and co-director of the Procedural Law Unit at the University of Nicosia

T: +357 24 201 634, Ext.: 634

E: n.kyriakides@harriskyriakides.law



Elena Michaelidou
Partner

Elena Michaelidou is a Partner of the Insurance Law and Personal Injury Department at Harris Kyriakides. She is a practicing advocate with extensive litigation experience in handling demanding civil litigation cases with specialization in insurance and personal injury claims as well as medical negligence claims.

Expertise

Insurance/Reinsurance Law, Personal Injury, Medical Negligence.

Academic Qualifications

ICA Advanced Certificate in International Compliance, 2015
LLM in International Commercial Law, City University of London, 2009 LLB (Hons), University of Hull, 2008

Professional Qualifications

Member of the Cyprus Bar, 2013

T: +357 22 057 755 , Ext.: 755

E: e.michaelidou@harriskyriakides.law



Ioanna Leonidou
Senior Associate

Ioanna Leonidou is a Senior Associate of the Insurance Law and Personal Injury Department at Harris Kyriakides. Ioanna's main areas of practice include drivers' negligence, medical negligence and public liability. She has experience in representing local clients before Cypriot courts on multi-injury claims.

Expertise

Insurance Law spectrum; Personal Injury claims, Medical Negligence claims, Employer Liability claims and Recoveries

Academic Qualifications

LLB, Aristotle University of Thessaloniki, 2015

Professional Qualifications

Member of the Cyprus Bar, 2016

T: +357 24 201 639, Ext.: 639

E: i.leonidou@harriskyriakides.law



Charis Andreou
Associate

Charis Andreou is an Associate of the Insurance Law and Personal Injury Department at Harris Kyriakides. He has experience in appearing in court and working on multifaceted and complex legal cases.

Expertise

Drivers' negligence, medical negligence and public liability

Academic Qualifications

Academic Qualifications
LLB, University of Cyprus, 2016

Professional Qualifications

Member of the Cyprus Bar, 2018

T: +357 24 021 732, Ext.: 732

E: c.andreou@harriskyriakides.law

Nicosia

1 Kinyra street, 5th floor
1102 Nicosia, Cyprus

Larnaca

115 Faneromenis Avenue, Antouanettas Building
6031 Larnaca, Cyprus

Tel: +357 2420 1600 | Fax: +357 2420 1601

Email: info@harriskyriakides.law | Web: www.harriskyriakides.law

Limassol

106 Gladstonos,
3032 Limassol, Cyprus

Paphos

4 Nicou Nicolaidi & Kinyra, 2nd Floor,
8011 Paphos, Cyprus